

2001

# ILLINOIS

## REGISTER

RULES  
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AGENCIES



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Issue 29-July	14, 2000:	Data Through June	30, 2000
Issue 42-October	13, 2000:	Data Through September	30, 2000
Issue 3-January	19, 2001:	Data Through December	31, 2000 (Annual)

## REGISTER PUBLICATION SCHEDULE 2001

Issue #	Copy Due by 4:30 p.m.	Publication Date	Issue #	Copy Due by 4:30 p.m.	Publication Date
Issue 1	December 26, 2000	January 5, 2001	Issue 28	July 2	July 13
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Issue 6	January 29	February 9	Issue 33	August 6	August 17
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Issue 26	June 18	June 29	Issue 1	December 26 (Wed. Noon)	January 4, 2002
Issue 27	June 25	July 6			

\* Tuesday 12 noon deadline following a state holiday.

\*\* Monday publication date following a state holiday.



DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Number: 310.280  
Proposed Action: Amend
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

A) Types of small businesses, small municipalities and not for profit corporations affected: None. The Department of Central Management Services' Pay Plan extends only to Personnel Code employees under the jurisdiction of the Governor.

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

5) A Complete Description of the Subjects and Issues Involved: In Section 310.280, Designated Rate, a Public Service Administrator position (37015-16-23-120-00-01) is being added to this Section with an annual salary of \$85,104 at the request of the Department of Children and Family Services.

13) Regulatory Agenda on which this rulemaking was summarized: January 2001  
The full text of the proposed amendments begins on the next page:

6) Will this proposed rulemaking replace an emergency rulemaking currently in effect? No

7) Does this rulemaking contain an automatic repeal date? Yes

8) Does this proposed amendment contain any incorporations by reference? No

9) Are there any proposed amendments pending to this Part? Yes

Section Numbers	Proposed Action	Ill. Reg. Citation
310.280	Amend	25 Ill. Reg. 3058
APPENDIX A, TABLE AA	Amend	25 Ill. Reg. 3058
310.280	Amend	25 Ill. Reg. 4316
310.280	Amend	25 Ill. Reg. 5774

10) Statement of Statewide Objectives: These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Mr. Michael Murphy  
Department of Central Management Services  
Division of Technical Services  
504 William G. Stratton Building  
Springfield, Illinois 62706  
(217) 782-5601

12) Initial Regulatory Flexibility Analysis:



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES  
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND  
POSITION CLASSIFICATIONS

## CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310  
PAY PLAN

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## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

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## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

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APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 2001

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 13675, effective July 31, 1986; emergency amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 19132, effective October 28, 1986; emergency

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; emergency amendment at 11 Ill. Reg. 3363, effective February 3, 1987; emergency amendment at 11 Ill. Reg. 4388, effective February 27, 1987; emergency amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; emergency amendment at 11 Ill. Reg. 15273, effective September 1, 1987; emergency amendment at 11 Ill. Reg. 17919, effective October 19, 1987; emergency amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; emergency amendment at 12 Ill. Reg. 3811, effective January 27, 1988; emergency amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 8135, effective April 22, 1988; emergency amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; emergency amendment at 12 Ill. Reg. 20584, effective November 28, 1988; emergency amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; emergency amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; emergency amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; emergency amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; emergency amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; emergency amendment at 14 Ill. Reg. 18854,



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160,

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 22 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; peremptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; peremptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill.



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; peremptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; peremptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; peremptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; peremptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; peremptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; peremptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; peremptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. \_\_\_\_\_, effective May 25, 2001; amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: NARRATIVE

## Section 310.280 Designated Rate

The rate of pay for a specific position or class of positions where it is deemed desirable to exclude such from the other requirements of this Pay Plan shall be only as designated by the Governor.

Department of Children & Family ServicesPublic Service Administrator

(Pos. No. 37015-16-23-120-00-01)

Annual Salary  
85,104

Department of Commerce & Community AffairsEconomic Development Representative II

(Pos. No. 12932-42-35-110-10-02)

Annual Salary  
54,048

Private Secretary II

(Pos. No. 34202-42-00-000-01-02)

Annual Salary  
48,492

Public Information Officer IV

(Pos. No. 37004-42-00-005-10-01)

Annual Salary  
64,932

Public Service Administrator

(Pos. No. 37015-42-35-110-10-03)

Annual Salary  
75,588

Public Service Administrator

Annual Salary

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

(Pos. No. 37015-42-35-140-20-01) 87,720

Department of Human ServicesMedical Administrator I, Option D

(Pos. No. 26401-10-79-006-00-21)

Annual Salary  
142,368

Public Service Administrator

(Pos. No. 37015-10-23-100-30-01)

Annual Salary  
75,572

Senior Public Service Administrator

(Pos. No. 40070-10-65-000-00-01)

Annual Salary  
105,475

Senior Public Service Administrator

(Pos. No. 40070-10-81-920-00-21)

Annual Salary  
105,480

Illinois State and Local Labor Relations BoardPrivate Secretary II

(Pos. No. 34202-50-19-000-00-01)

Annual Salary  
51,900

Department of Natural ResourcesAdministrative Assistant II

(Pos. No. 00502-12-30-000-20-01)

Annual Salary  
50,520

Department of State PoliceSenior Public Service Administrator

(Pos. No. 40070-21-10-000-00-01)

Annual Salary  
109,358

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## ILLINOIS GAME BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Riverboat Gambling
- 2) Code Citation: 86 Ill. Adm. Code 3000
- 3) Section Numbers:

<u>Proposed Action:</u>
3000.100 Amendment
3000.271 Amendment
3000.660 Amendment
3000.665 Amendment
- 4) Statutory Authority: Riverboat Gambling Act [230 ILCS 10]
- 5) A Complete Description of the Subjects and Issues Involved: Since these Rules were originally adopted and subsequently amended, new technologies have become available for use in gambling equipment. The Board's supplier licensees have requested permission to make these new technologies available to Illinois casinos and the owner licensees have expressed interest in purchasing these new technologies. The Board's proposed rulemaking defines these new technologies and provides for their consideration by the Board for use in Illinois casinos. The rulemaking does not authorize the sale or use of the new technologies without specific prior Board approval.

- 6) Will these proposed amendments replace emergency amendments current in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Do these proposed amendments contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit comments in writing concerning this proposed rulemaking by no later than 45 days after publication of this notice to:

Jeannette P. Tamayo  
 Deputy Chief Counsel  
 Illinois Gaming Board  
 160 North LaSalle Street Suite 300S  
 Chicago, Illinois 60601  
 (312) 814-4700 FAX: (312) 814-8798

- 12) Initial Regulatory Flexibility Analysis:

## ILLINOIS GAME BOARD

## NOTICE OF PROPOSED AMENDMENTS

- A) Types of small businesses, small municipalities, and for profit corporations affected: None
- B) Reporting, bookkeeping, or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: it was not anticipated when those agendas were submitted for publication.

The full text of the Proposed Amendments begins on the next page:



ILLINOIS GAME BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 86: REVENUE  
CHAPTER IV: ILLINOIS GAMING BOARD

PART 3000  
RIVERBOAT GAMBLING

SUBPART A: GENERAL PROVISIONS

Section	Definitions
3000.100	Invalidity
3000.101	Public Inquiries
3000.102	Organization of the Illinois Gaming Board
3000.103	Rulemaking Procedures
3000.104	Board Meetings
3000.105	Disciplinary Actions
3000.110	Records Retention
3000.115	Place to Submit Materials
3000.120	No Opinion or Approval of the Board
3000.130	Duty to Disclose Changes in Information
3000.140	Applicant/Licensee Disclosure of Agents
3000.141	Owner's and Supplier's Duty to Investigate
3000.150	Investigatory Proceedings
3000.155	Duty to Report Misconduct
3000.160	Communication with Other Agencies
3000.161	Participation in Games by Owners, Directors, Officers, Key Persons or Gaming Employees
3000.165	Fair Market Value of Contracts
3000.170	Weapons on Riverboat
3000.180	

SUBPART B: LICENSES

Section	Classification of Licenses
3000.200	Fees and Bonds
3000.210	Applications
3000.220	Other Required Forms
3000.221	Identification and Requirements of Key Persons
3000.222	Disclosure of Ownership and Control
3000.223	Economic Disassociation
3000.224	Business Entity and Personal Disclosure Filings
3000.225	Owner's Licenses
3000.230	Distributions
3000.231	Undue Economic Concentration
3000.232	Acquisition of Ownership Interest By Institutional Investors
3000.233	Transferability of Ownership Interest
3000.234	Owner's License Renewal
3000.235	Renewed Owner's Licenses, Term and Restrictions
3000.236	
3000.237	

ILLINOIS GAME BOARD

NOTICE OF PROPOSED AMENDMENTS

3000.238	Appointment of Receiver for an Owner's License
3000.240	Supplier's Licenses
3000.241	Renewal of Supplier's License
3000.242	Amendment to Supplier's Product List
3000.243	Bankruptcy or Change in Ownership of Supplier
3000.245	Occupational Licenses
3000.250	Transferability of Licenses
3000.260	Waiver of Requirements
3000.270	Certification and Registration of Electronic Gaming Devices
3000.271	Analysis of Questioned Electronic Gaming Devices
3000.280	Registration of All Gaming Devices
3000.281	Transfer of Registration (Repealed)
3000.282	Seizure of Gaming Devices (Repealed)
3000.283	Analysis of Questioned Electronic Gaming Devices (Repealed)
3000.284	Disposal of Gaming Devices

SUBPART C: OWNER'S INTERNAL CONTROL SYSTEM

Section	General Requirements - Internal Control System
3000.300	Approval of Internal Control System
3000.310	Minimum Standards for Internal Control Systems
3000.320	Review of Procedures (Repealed)
3000.330	Operating Procedures (Repealed)
3000.340	Modifications (Repealed)
3000.350	

SUBPART D: HEARINGS ON NOTICE OF DENIAL, RESTRICTION OF LICENSE OR PLACEMENT ON EXCLUSION LIST

Section	Coverage of Subpart
3000.400	Requests for Hearings
3000.405	Appearances
3000.410	Discovery
3000.415	Motions for Summary Judgment
3000.420	Subpoena of Witnesses
3000.424	Proceedings
3000.425	Evidence
3000.430	Prohibition on Ex Parte Communication
3000.431	Sanctions and Penalties
3000.435	Transmittal of Record and Recommendation to the Board
3000.440	Status of Applicant for Licensure or Transfer Upon Filing Request for Hearing
3000.445	

SUBPART E: CRUISING

Section	Riverboat Cruises
3000.500	



## ILLINOIS GAME BOARD

## NOTICE OF PROPOSED AMENDMENTS

3000.510 Cancelled or Disrupted Cruises

## SUBPART F: CONDUCT OF GAMING

Section  
 3000.600 Wagering Only with Approved Chips, Tokens and Electronic Cards  
 3000.602 Disposition of Unauthorized Winnings  
 3000.605 Authorized Games  
 3000.606 Gaming Positions  
 3000.610 Publication of Rules and Payout Ratio for Live Gaming Devices  
 3000.614 Tournaments, Enhanced Payouts and Give-aways  
 3000.615 Payout Percentage for Electronic Gaming Devices  
 3000.616 Cashing-In  
 3000.620 Submission of Chips for Review and Approval  
 3000.625 Chip Specifications  
 3000.630 Primary, Secondary and Reserve Sets of Gaming Chips  
 3000.631 Tournament Chips  
 3000.635 Issuance and Use of Tokens for Gaming  
 3000.636 Distribution of Coupons for Complimentary Chips, Tokens and Cash  
 3000.640 Exchange of Chips and Tokens  
 3000.645 Receipt of Gaming Chips or Tokens from Manufacturer or Distributor  
 3000.650 Inventory of Chips  
 3000.655 Destruction of Chips and Tokens  
 3000.660 Minimum Standards for Electronic Gaming Devices  
 3000.665 Integrity of Electronic Gaming Devices  
 3000.666 Bill Validator Requirements  
 3000.670 Computer Monitoring Requirements of Electronic Gaming Devices

## SUBPART G: EXCLUSION OF PERSONS

Section  
 3000.700 Duty to Exclude  
 3000.710 Distribution and Availability of Exclusion Lists  
 3000.720 Criteria for Exclusion or Ejection and Placement on an Exclusion List  
 3000.725 Duty of Licensees  
 3000.730 Procedure for Entry of Names  
 3000.740 Petition for Removal from Exclusion List

## SUBPART H: SURVEILLANCE AND SECURITY

Section  
 3000.800 Required Surveillance Equipment  
 3000.810 Riverboat and Board Surveillance Room Requirements  
 3000.820 Segregated Telephone Communication  
 3000.830 Surveillance Logs  
 3000.840 Storage and Retrieval  
 3000.850 Dock Site Board Facility

## ILLINOIS GAME BOARD

## NOTICE OF PROPOSED AMENDMENTS

3000.860 Maintenance and Testing

## SUBPART I: LIQUOR LICENSES

Section  
 3000.900 Liquor Control Commission  
 3000.910 Liquor Licenses  
 3000.920 Disciplinary Action  
 3000.930 Hours of Sale

## SUBPART J: OWNERSHIP AND ACCOUNTING RECORDS AND PROCEDURES

Section  
 3000.1000 Ownership Records  
 3000.1010 Accounting Records  
 3000.1020 Standard Financial and Statistical Records  
 3000.1030 Annual and Special Audits and Other Reporting Requirements  
 3000.1040 Accounting Controls Within the Cashier's Cage  
 3000.1050 Procedures for Exchange of Checks Submitted by Gaming Patrons and Granting Credit  
 3000.1060 Handling of Cash at Gaming Tables  
 3000.1070 Tips or Gratuities  
 3000.1071 Admission Tax and Wagering Tax  
 3000.1072 Cash Reserve Requirements

## SUBPART K: SEIZURE AND DISCIPLINARY HEARINGS

Section  
 3000.1100 Coverage of Subpart  
 3000.1105 Duty to Maintain Suitability  
 3000.1110 Board Action Against License or Licensee  
 3000.1115 Complaint  
 3000.1120 Appearances  
 3000.1125 Answer  
 3000.1126 Appointment of Hearing Officer  
 3000.1130 Discovery  
 3000.1135 Motions for Summary Disposition  
 3000.1139 Subpoena of Witnesses  
 3000.1140 Proceedings  
 3000.1145 Evidence  
 3000.1146 Prohibition of Ex Parte Communication  
 3000.1150 Sanctions and Penalties  
 3000.1155 Transmittal of Record and Recommendation to the Board

AUTHORITY: Implementing and authorized by the Riverboat Gambling Act [230 ILCS 10].

SOURCE: Emergency rule adopted at 15 Ill. Reg. 11252, effective August 5,



## ILLINOIS GAME BOARD

## NOTICE OF PROPOSED AMENDMENTS

1991, for a maximum of 150 days; adopted at 15 Ill. Reg. 18263, effective December 10, 1991; amended at 16 Ill. Reg. 13310, effective August 17, 1992; amended at 17 Ill. Reg. 11510, effective July 9, 1993; amended at 20 Ill. Reg. 5814, effective April 9, 1996; amended at 20 Ill. Reg. 6280, effective April 22, 1996; emergency amendment at 20 Ill. Reg. 8051, effective June 3, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14765, effective October 31, 1996; amended at 21 Ill. Reg. 4642, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 14566, effective October 22, 1997, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 978, effective December 29, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 4390, effective February 20, 1998; amended at 22 Ill. Reg. 10449, effective May 27, 1998; amended at 22 Ill. Reg. 17324, effective September 21, 1998; amended at 22 Ill. Reg. 19541, effective October 23, 1998; emergency amendment at 23 Ill. Reg. 8191, effective July 2, 1999, for a maximum of 150 days; emergency expired November 28, 1999; amended at 23 Ill. Reg. 8996, effective August 2, 1999; amended at 24 Ill. Reg. 1037, effective January 10, 2000; amended at 25 Ill. Reg. 94, effective January 8, 2001; amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL PROVISIONS

## Section 3000.100 Definitions

For purposes of this Part the following terms shall have the following meanings:

"Act": The Riverboat Gambling Act [230 ILCS 10].

"Affiliate": An "Affiliate of", or person "Affiliated with", a specified person shall mean a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, such person.

"Alcoholic Liquors": Includes alcohol, spirits, wine and beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer, and capable of being consumed as a beverage by a human being.

"Attributed Interest": A direct or indirect interest in a Business Entity deemed to be held by a person not through the person's actual holdings but either through the holdings of the person's relatives or through a third party or parties on behalf of the person pursuant to a plan, arrangement or agreement.

"Bill Validator": Any electro-mechanical device attached either on or into an Electronic Gaming Device which accepts and analyzes the legitimacy of United States currency, validates the currency, stores the currency, and issues Electronic Credits equal to the value of

## ILLINOIS GAME BOARD

## NOTICE OF PROPOSED AMENDMENTS

currency inserted into the device.

"Board": The Illinois Gaming Board.

"Business Entity": A partnership, incorporated or unincorporated association or group, firm, corporation, limited liability company, partnership for shares, trust, sole proprietorship or other business enterprise.

"Chip": A non-metal or partly metal representative of value, redeemable for cash, and issued and sold by a holder of an Owner's license for use in Gaming other than in Electronic Gaming Devices on such holder's Riverboat or Riverboats.

"Chip Float": The difference between the total face value of Chips received from vendors and the total face value of Chips accounted for through an inventory conducted by the Riverboat Gaming Operation.

"Dependent": Any individual who received over half of his support in a calendar year from any other individual.

"Electronic Card": A card purchased from a holder of an Owner's license for use on that holder's Riverboat Gaming Operation as a substitute for Tokens in the conduct of gaming on an Electronic Gaming Device.

"Electronic Credit": A value owed to a patron on an Electronic Gaming Device.

"Electronic Gaming Device": Includes as approved Games under Section 3000.605 Single-Position Reel-Type, Single-Position Single-Game Video and Single-Position Multi-Game Video Electronic Gaming Devices.

"Electronic Gaming Device Drop": The total face value of Tokens or representations of Tokens (including without limitation foreign Tokens and slugs) collected from the drop bucket and United States currency collected from the Bill Validator drop box.

"Electronic Gaming Device Win": The Electronic Gaming Device Drop minus hand-paid jackpots minus hopper fills.

"EPROM": An acronym for Erasable, Programmable, Read Only Memory, which is a microprocessor component that stores memory and affects payout percentage and/or contains a random number generator that selects the outcome of a Game on an Electronic Gaming Device.

"Excluded Person": Any person whose name appears on any Exclusion List, or any person whose name does not appear on an Exclusion List



## ILLINOIS GAME BOARD

## NOTICE OF PROPOSED AMENDMENTS

but who is excluded or ejected pursuant to Section 5(c)(12) of the Act or as a result of meeting one or more of the criteria in Section 3000.720 of this Part.

"Exclusion List": A list or lists which contain the identities of persons who are to be excluded or ejected from any licensed Gaming operation in any jurisdiction. The list may include any person whose reputation or conduct is such that his presence within a Riverboat Gaming Operation may, in the opinion of the Board or the Administrator, call into question the honesty or integrity of the Gaming operation or pose a threat to the interests of the State of Illinois.

"Game": A gambling activity which is played for money, property, or anything of value, including without limitation those played with cards, Chips, Tokens, dice, implements, or electronic, electrical, or mechanical devices or machines.

"Gaming": The dealing, operating, carrying on, conducting, maintaining or exposing for play of any Game.

"Gaming Equipment/Supplies": A machine, mechanism, device, or implement which is integral to the operation of a Game or affects the result of a Game by determining win or loss, including without limitation: electronic, electrical, or mechanical devices or machines; cards or dice; layouts for Live Gaming Devices; any representative of value used with any Game, including without limitation Chips, Tokens, or Electronic Cards; and hardware and software related to any item described herein.

"Gaming Operations Manager": A person or business entity other than the holder of an Owner's license who has the ultimate responsibility to manage, direct or administer the conducting of Gaming.

"Hand": Either one Game in a series, one deal in a card Game, or the cards held by a player.

"Indirect Interest": An interest in a Business Entity that is deemed to be held by the holder of an Owner's license not through the holder's actual holdings in the business entity but through the holder's holdings in other business entities.

"Institutional Investor": A "qualified institutional buyer" as defined by Securities and Exchange Commission Rule 144A (17 CFR 230.144A) under the Securities Act of 1933, as amended.

"Internal Control System": Proprietary internal procedures and administration and accounting controls designed by the holder of an

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Owner's license for the purpose of exercising control over the Riverboat Gaming Operation.

"Junketeer": A person or entity that facilitates a patron's participation in gaming at a Riverboat Gaming Operation and is compensated, not as an employee but as an independent contractor, by that Operation based upon how much the patron actually wagers or loses.

"Key Person": A Person identified by the Board under Section 3000.222 as subject to regulatory approval as a Person able to control, or exercise significant influence over, the management, assets, or operating policies of an owner or supplier licensee.

"Live Gaming Device": Any apparatus, other than an Electronic Gaming Device, upon which Gaming is conducted or which determines an outcome which is the object of a wager. This definition includes but is not limited to roulette wheels, keno machines, punchboard tickets and tables with layouts utilized in Games approved by the Board.

"Marketing Agent": A person or entity, other than a junketeer or an employee of a Riverboat Gaming Operation, who is compensated by the Riverboat Gaming Operation in excess of \$100 per patron per trip for identifying and recruiting patrons.

"Non-Alterable Storage Media": An electronic storage medium that contains the program files that operate the game, which medium cannot be altered through the use of the circuitry or programming of the gaming device.

"Non-Value Chip": A Chip, clearly and permanently impressed, engraved or imprinted with the name of the Riverboat Gaming Operation, but bearing no value designation.

"Notice of Board Action": A Notice of Denial, Restriction, Suspension, Revocation, Nonrenewal, Fine, Exclusion or other action issued by the Board.

"Parent Company": A "parent company" of a specified person is an affiliate controlling such person directly, or indirectly through one or more intermediaries.

"Payout": Winnings earned on a wager.

"Person": "Person" includes both individuals and Business Entities.

"Petitioner": An applicant, licensee, or Excluded Person who requests a hearing upon issuance of a Notice of Board Action.



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"Progressive Controller": The hardware and software that controls all communications among the machines within a progressive Electronic Gaming Device link and its associated progressive meter.

"Progressive Jackpot": An award for winning play in a Game, the value of which is determined by the contribution of a portion of each Wager placed into play or the combined amount of several wagers linked to a common jackpot award.

"Relative": Spouse, parents, grandparents, children, siblings, uncles, aunts, nephews, nieces, fathers-in-law, mothers-in-law, sons-in-law, daughters-in-law, brothers-in-law, and sisters-in-law, whether by the whole or half blood, by marriage, adoption or natural relationship, and Dependents.

"Riverboat Gaming Operation": The owner licensee, Gaming Operations Manager, or, as the context requires, the conducting of Gaming and all related activities, including without limitation the purveying of food, beverages, retail goods and services, and transportation, on a Riverboat and at its Support Facilities.

"Signature": The definitive identity of an individual specific EPROM chip, determined by electronic analysis and reflective of the EPROM chip's game behavior capability.

"Substantial Owner": A person who has an ownership interest of 25% or more in a Business Entity.

"Supplier": Either a Gaming Operations Manager or a provider of Gaming Equipment, Gaming Equipment maintenance or repair services, security services or lessor of a Riverboat or dock facilities or a provider of any goods or services where payment is calculated by a percentage of a Riverboat Gaming Operation's revenues.

"Support Facility": A place of business which is part of, or operates in conjunction with, a Riverboat Gaming Operation and is owned in whole or in part by a holder of an Owner's or Supplier's license or any of their Key Persons, including without limitation Riverboats, offices, docking facilities, parking facilities, and land-based hotels or restaurants.

"Table Drop": The total amount of cash or cash equivalents contained in the drop box for Chips purchased at a Live Gaming Device.

"Table Win": The dollar amount won by the holder of an Owner's license through play at a live Game which is the total of the Table Drop plus ending Chip inventory plus credits minus opening Chip inventory minus fills.

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"Theoretical Payout Percentage": The percentage of Tokens wagered which will be returned to players by an Electronic Gaming Device.

"Token": A metal representative of value, redeemable for cash only at the issuing Riverboat Gaming Operation, and issued and sold by a holder of an Owner's license for use in Gaming.

"Token Dispenser": Any mechanical or electrical device designed for the purpose of dispensing an amount of Tokens equal to the amount of currency inserted into the device.

"Token Float": The difference between the total face value of Tokens received from vendors and the total face value of Tokens accounted for through an inventory conducted by the Riverboat Gaming Operation.

"Tournament EPROM": A specially designed EPROM with a mode of play that provides for a mathematically demonstrable payout of more than 100 percent.

"Value Chip": A Chip, clearly and permanently impressed, engraved or imprinted with the name of the Riverboat Gaming Operation and the specific value of the Chip.

"Wager": A sum of money or thing of value risked.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART B: LICENSES

## Section 3000.271 Analysis of Questioned Electronic Gaming Devices

a) If the operation of any Electronic Gaming Device is questioned by a Board agent, the questioned device will be examined in the presence of a Board agent and a representative of the owner licensee. If a malfunction or the cause of a malfunction cannot be cleared or corrected, the Electronic Gaming Device shall be subjected to an EPROM analysis to verify the EPROM's Signature validity. If the Electronic Gaming Device utilizes Non-Alterable Storage Media, the approved protocol will be utilized to verify the validity of the gaming program files.

b) In the event that a malfunction cannot be cleared or corrected following the EPROM analysis under subsection (a), the Electronic Gaming Device may be removed from service and secured. The Electronic Gaming Device may then be transported to an industry-recognized laboratory selected by the Administrator where the device will be fully analyzed to determine the status and cause of the malfunction. All costs for transportation and analysis will be borne by the owner



## ILLINOIS GAME BOARD

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licensee, and will be billed by the laboratory to the owner licensee and, only if necessary, to by the Board.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART F: CONDUCT OF GAMING

## Section 3000.660 Minimum Standards for Electronic Gaming Devices

a) Electronic Gaming Devices shall pay out a mathematically demonstrable percentage of all amounts wagered, which must not be less than 80%, nor more than 100% unless otherwise approved by the Administrator. Electronic Gaming Devices that may be affected by player skill must meet this standard when using a method of play that will provide the greatest return to the player over a period of continuous play.

b) Electronic Gaming Devices shall:

- 1) Be controlled by a microprocessor or the equivalent;
- 2) Be compatible to on-line data monitoring;
- 3) Contain an EPROM or Non-Alterable Storage Media that has been approved by the Administrator subsequent to a review of the EPROM or Non-Alterable Storage Media by an independent laboratory designated by the Administrator;
- 4) Have a separate locked internal enclosure within the device for the circuit board containing the EPROM; if using Non-Alterable Storage Media, provide a security device or protocol approved by the Administrator to guarantee program inaccessibility by other than by an approved method and personnel and only in the presence of a Gaming Board agent;
- 5) Be able to continue a Game with no data loss after a power failure;
- 6) Have previous and current Game data recall;
- 7) Have a random selection process that must not produce detectable patterns of Game elements or detectable dependency upon any previous Game outcome, the amount wagered, or upon the style or method of play;
- 8) Clearly display applicable rules of play and the payout schedule;
- 9) Display an accurate representation of each Game outcome. After selection of the Game outcome, the Electronic Gaming Device must not make a variable secondary decision which affects the result shown to the player;
- 10) Have a complete set of nonvolatile meters including Tokens-in, Tokens-out, Tokens dropped and jackpots paid;
- 11) Make available for random selection at the initiation of each play each possible permutation or combination of Game elements which produce winning or losing Game outcomes; and
- 12) Not automatically alter pay-tables or any function of the Electronic Gaming Device based on internal computation of the

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hold percentage.

c) When an Electronic Gaming Device is unable to drop sufficient Tokens for payment of jackpots requiring the payment to be made by the Riverboat, jackpot payout tickets must be prepared containing the following information:

- 1) The location of the Electronic Gaming Device;
- 2) The date;
- 3) The time of day;
- 4) The Electronic Gaming Device number;
- 5) The amount of the jackpot payout in numeric form if the ticket is machine generated, or in written and numeric form if the ticket is prepared manually;
- 6) The signature of the holder of an Owner's license or Riverboat Gaming Operation employee making the payment; and
- 7) A signature of at least one other Riverboat Gaming Operation employee attesting to the accuracy of the form.

d) Electronic Gaming Devices linked to any Progressive Jackpot system shall meet the following specifications:

- 1) The value of a Progressive Jackpot shall be clearly displayed above the interlinked Electronic Gaming Devices, and metered incrementally by a Progressive Controller. Any Electronic Gaming Device that offers a Progressive Jackpot, or that is linked to a Progressive Jackpot, must prominently display a manufacturer-supplied glass indicating either that a Progressive Jackpot is to be paid or indicating the current amount of the jackpot. All Electronic Gaming Devices linked and contributing to a common Progressive Jackpot shall have the same probability of hitting the combination that will award the Progressive Jackpot;
- 2) A Progressive Jackpot may be transferred to another progressive Electronic Gaming Device at the same location in the event of a device malfunction or replacement, with approval of the Administrator;
- 3) A holder of an Owner's license may impose a limit on the Progressive Jackpot of Electronic Gaming Devices which are linked to any Progressive Controller;
- 4) No Progressive Jackpot indicator shall be cancelled or turned back to a lesser amount unless one of the following circumstances occurs:
  - A) The amount shown on the progressive meter is paid to a player as a jackpot;
  - B) It becomes necessary to adjust the progressive meter to prevent the jackpot indicator from displaying an amount greater than the limit imposed by the Riverboat Gaming Operation pursuant to subsection (d)(3) of this Section; and
  - C) It becomes necessary to change the jackpot indicator because of an Electronic Gaming Device malfunction, in which case such malfunction and adjustment must be recorded by



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appropriate Electronic Gaming Device monitoring on-line data system;

- 5) A holder of an Owner's license who is liable for payment of a Progressive Jackpot must secure the amount of same by a cash deposit, a performance bond, or a security instrument nationally recognized in the Gaming industry. The Administrator must approve all deposits, bonds, or other instruments, and the security instrument must be secured in a method approved by the Administrator.

e) The Administrator may approve, for use in a Tournament involving Electronic Gaming Devices, a Tournament EPROM subject to the following requirements:

- 1) The Tournament EPROM has been tested and approved for use as may be required by the Administrator.
- 2) The installation, use and secure storage of the Tournament EPROM is provided for in the Internal Control System of the Riverboat Gaming Operation.
- 3) The Tournament EPROM is installed and removed from an Electronic Gaming Device only in the presence of a Board agent.
- 4) An Electronic Gaming Device is rendered unavailable for wagering or play, except in the conduct of a Tournament, when a Tournament EPROM is installed in the Electronic Gaming Device.
- 5) As applicable, the Administrator has waived or modified the data reporting and monitoring requirements of Section 3000.670 so as to prevent inapplicable Tournament payout information from being used in the calculation of Adjusted Gross Receipts.
- 6) Patrons engaging in a Tournament have been given proper information as to the effect that play with a Tournament EPROM has on the rules of play and the payout information that is posted on Electronic Gaming Devices used in the Tournament.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 3000.665 Integrity of Electronic Gaming Devices

Electronic Gaming Devices shall:

- a) Be cashless in operation, and as such, must accept only Electronic Cards or Tokens as Wagers;
- b) Be electronic in design and operation and not be electro-mechanical or mechanical in operation;
- c) Not subject a player to physical hazards;
- d) Contain a surge protector on the line that feeds power to the Electronic Gaming Device. The battery backup or an equivalent for the electronic meters must be capable of maintaining accuracy of all information required for 180 days after power is discontinued from the Electronic Gaming Device. The backup shall be kept within the locked logic board compartment;

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- e) Have an on/off switch that controls the electrical current used in the operation of the Electronic Gaming Device and any associated equipment which shall be located in an accessible place within its interior;
- f) Be designed so that is shall not be adversely affected by static discharge or other electromagnetic interference;
- g) Have at least one electronic Token acceptor. Token acceptors must be designed to accept designated Tokens and reject others. The Token receiver on an Electronic Gaming device must be designed to prevent the use of cheating methods such as slugging, stringing, or spooning. All Token acceptors are subject to approval by the Administrator. Tokens accepted but which are inappropriate "token-ins" must be returned to the player by activation of the hopper or credited toward the next play of the Electronic Gaming Device. The Electronic Gaming Device control program must be capable of handling rapidly fed Tokens so that occurrences of inappropriate "token-ins" are prevented;
- h) Not be readily accessible in its internal space of the Electronic Gaming Device when the front door is both closed and locked;
- i) Have logic boards and EPROMS in a locked area within the Electronic Gaming Device, sealed with evidence tape. The evidence tape must be affixed by an authorized Board agent and must include the date, signature and I.D. number of the agent. This tape may only be removed in the presence of an authorized Board agent. If using Non-Alterable Storage Media, provide a security device or protocol approved by the Administrator to guarantee program inaccessibility except in the presence of a Gaming Board agent and by a method other than those approved by the Administrator;
- j) Have a Token compartment contained in a locked area within or attached to the Electronic Gaming Device;
- k) Not contain any hardware switches that alter the pay-tables or payout percentages in its operation. Hardware switches may be installed to control graphic routines, speed of play, and sound;
- l) Contain an unremovable identification plate containing the following information, appearing on the exterior of the Electronic Gaming Device:
  - 1) Manufacturer;
  - 2) Serial Number; and
  - 3) Model Number;
- m) Contain the rules of play for each Electronic Gaming Device displayed on the face or screen. No rules shall be incomplete, confusing, or misleading. Each Electronic Gaming Device must also display the credits wagered and the credits awarded for the occurrence of each possible winning combination based on the number of credits wagered. All information required by this Section must be kept under glass or another transparent substance and at no time may stickers or other removable items be placed over this information;
- n) Have equipment that enables the Electronic Gaming Device to communicate with a central computer system accessible to the Board, using an industry standard protocol data format approved by the



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- Administrator;
- o) Be capable of continuing the current Game with all current Game features after a malfunction is cleared. This rule does not apply if an Electronic Gaming Device is rendered totally inoperable. The current Wager and all credits appearing on the screen prior to the malfunction shall be returned to the patron;
- p) Have attached a drop bucket housed in a locked compartment separate from any compartment of the Electronic Gaming Device;
- q) Be capable of detecting and displaying the following error conditions which an attendant may clear:
- 1) Token-in jam;
  - 2) Token-out jam;
  - 3) Hopper empty or time-out;
  - 4) Program error;
  - 5) Hopper runaway or extra Token paid out;
  - 6) Reverse token-in;
  - 7) Reel error; and
  - 8) Door open;
- r) Use a communication protocol which ensures that erroneous data or signals will not adversely affect the operation of the Electronic Gaming Device;
- s) Display an Illinois Gaming Board registration number permanently imprinted, affixed or impressed on the outside of the Electronic Gaming Device;
- t) Have the capacity to display on the front of each Electronic Gaming Device its rules of play, character combinations requiring payouts, and the amount of the related payouts. In addition, the holder of an Owner's License shall display on each Electronic Gaming Device either:
- 1) A clear description of any merchandise or thing of value offered as a payout, including the cash equivalent value of the merchandise or thing of value offered, the dates the merchandise or thing of value will be offered if the holder of an Owner's License establishes a time limit upon initially offering the merchandise or thing of value and the availability or unavailability to the patron of the optional cash equivalent value; or
  - 2) The name or a brief description or the merchandise or thing of value offered; provided, however, a sign containing the information specified in subsection (t)(1) shall be displayed in a prominent location approved by the Board near the Electronic Gaming Device;
- u) Have a mechanical, electrical, or electronic device that automatically precludes a player from operating the Electronic Gaming Device after a jackpot requiring a manual payout and requires an attendant to reactivate the Electronic Gaming Device.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- 1) Heading of the Part: Audit Requirements of DHS
- 2) Code Citation: 89 Ill. Adm. Code 507
- 3) Section Numbers: Proposed Action:  
507.10 Amendment
- 4) Statutory Authority: Implementing and authorized by the Department of Human Services Act [20 ILCS 1305].
- 5) A Complete Description of the Subjects and Issues involved: This rulemaking will amend this Section to change the financial figures that require specified levels of audit requirements. The amendment is less restrictive on providers.
- 6) Will this proposed amendment replace an emergency amendment currently in effect? Yes
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:
- Ms. Susan Weir, Bureau Chief  
Bureau of Administrative Rules and Procedures  
Department of Human Services  
100 South Grand Avenue East  
3rd Floor Harris Bldg.  
Springfield IL 62762  
(217) 785-9772
- If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.
- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None



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B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary form compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: The Department did not anticipate this rulemaking when the 2 most recent agendas were published.

The full text of the Proposed Amendments is identical to the emergency amendment on pages 7, 8, 9, 10 of this issue of the Illinois Register.

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1) Heading of the Part: Cock Pheasant, Hungarian Partridge, Bobwhite Quail and Rabbit Hunting

2) Code Citation: 17 Ill. Adm. Code 530

<u>Section Numbers:</u>	<u>Proposed Action:</u>
530.70	Amendment
530.80	Amendment
530.90	Repeal
530.100	Repeal
530.110	Amendment

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].

5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to update the 2001 hunting dates, clarify regulations at both statewide and Department-owned or -managed sites, update a site name, and delete Sections pertaining to youth hunts.

6) Will this rulemaking replace any emergency rulemaking currently in effect?  
No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price  
Department of Natural Resources  
524 S. Second Street  
Springfield IL 62701-1787  
217/782-1809

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit



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corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this amendment was summarized: July 2001

The full text of the Proposed Amendments begins on the next page:

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TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER b: FISH AND WILDLIFE

PART 530  
COCK PHEASANT, HUNGARIAN PARTRIDGE, BOBWHITE QUAIL,  
AND RABBIT HUNTING

Section	
530.10	Statewide General Regulations
530.20	Statewide Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Cottontail and Swamp Rabbit Regulations
530.30	Statewide Hungarian Partridge Regulations (Repealed)
530.40	Statewide Bobwhite Quail Regulations (Repealed)
530.50	Statewide Rabbit Regulations (Repealed)
530.60	Statewide Crow Regulations (Repealed)
530.70	Controlled Pheasant Hunting Sites Permit Requirements
530.80	Controlled Pheasant Hunting Regulations
530.90	Illinois Youth Pheasant Hunting Sites Permit Requirements (Repealed)
530.100	Illinois Youth Pheasant Hunting Regulations (Repealed)
530.105	Regulations for Fee Hunting of Pheasant, Hungarian Partridge, Quail and Rabbit at Controlled Daily Drawing Pheasant Hunting Sites
530.110	Regulations for Non-Fee Hunting of Cock Pheasant, Hungarian Partridge, Quail, and Rabbit at Various Department-Owned or -Managed Sites
530.115	Regulations for Hunting by Falconry Methods at Various Department-Owned or -Managed Sites
530.120	Regulations for Hunting Crow at Various Department-Owned or -Managed Sites (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].

SOURCE: Adopted at 5 Ill. Reg. 8777, effective August 25, 1981; codified at 5 Ill. Reg. 10634; amended at 6 Ill. Reg. 10667, effective August 20, 1982; amended at 7 Ill. Reg. 10755, effective August 24, 1983; amended at 8 Ill. Reg. 21574, effective October 23, 1984; amended at 9 Ill. Reg. 15846, effective October 8, 1985; amended at 10 Ill. Reg. 15579, effective September 16, 1986; emergency amendment at 10 Ill. Reg. 18822, effective October 16, 1986, for a maximum of 150 days; emergency expired March 15, 1987; amended at 11 Ill. Reg. 10546, effective May 21, 1987; amended at 12 Ill. Reg. 12016, effective July 7, 1988; amended at 13 Ill. Reg. 12796, effective July 21, 1989; emergency amendment at 13 Ill. Reg. 12985, effective July 31, 1989, for a maximum of 150 days; emergency expired December 28, 1989; amended at 13 Ill. Reg. 17348, effective October 27, 1989; amended at 14 Ill. Reg. 10775, effective June 20, 1990; emergency amendment at 14 Ill. Reg. 18324, effective October 29, 1990,



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for a maximum of 150 days; emergency expired March 28, 1991; amended at 15 Ill. Reg. 9924, effective June 24, 1991; emergency amendment at 15 Ill. Reg. 16124, effective October 25, 1991, for a maximum of 150 days; emergency expired March 23, 1992; amended at 15 Ill. Reg. 18138, effective December 6, 1991; amended at 16 Ill. Reg. 12470, effective July 28, 1992; amended at 16 Ill. Reg. 18951, effective December 1, 1992; amended at 17 Ill. Reg. 15534, effective September 10, 1993; amended at 18 Ill. Reg. 12628, effective August 9, 1994; amended at 19 Ill. Reg. 12615, effective August 29, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 20 Ill. Reg. 12397, effective August 30, 1996; amended at 21 Ill. Reg. 9042, effective June 26, 1997; amended at 22 Ill. Reg. 14762, effective August 3, 1998; amended at 23 Ill. Reg. 9012, effective July 28, 1999; amended at 24 Ill. Reg. 12496, effective August 7, 2000; amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 530.70 Controlled Pheasant Hunting Sites Permit Requirements

- a) Applicants must contact the Department of Natural Resources (Department or DNR) to obtain a permit reservation. (However, for Wayne Fitzgerald, Silver Springs State Park, Ramsey Lake State Park, Horseshoe Lake State Park (Madison County) and Chain O'Lakes State Park, applicants must contact the concessionaire. Should the concessionaire, for any reason, fail to operate the concession, applicants must contact DNR.) Starting dates and methods for making reservations will be publicly announced. Only applications for reservations submitted by Illinois residents will be processed during the first two weeks of the application period. Reservations will be confirmed.
- b) Permits will be issued until the daily quota is filled. The daily quota is determined by the formula one hunter per 10 to 80 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available, the condition, topography, and configuration of the land at the site, the condition of the roads at the site, and the number of employees available to work at the site.
- c) For all DNR operated sites except Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit and Sand Ridge State Forest, the permit authorizes the permit holder to bring one hunting partner. ~~{The hunting partner cannot hunt without the permit holder being present to hunt.}~~ At Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit and Sand Ridge State Forest, the permit is valid for the permit holder and up to three hunting partners. The hunting partners cannot hunt without the permit holder being present to hunt only. The Springfield Permit Office cannot transfer or alter reservations to change hunting areas, dates or hunters' names. For all DNR operated sites except Sand Ridge and Wayne Fitzgerald State Park, permits cannot be transferred on the hunting areas. The fee for transferred permits cannot exceed the fee in the Wildlife Code for

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daily usage stamps for Public Hunting Grounds for Pheasants. For other information write to:

Illinois Department of Natural Resources  
Pheasant  
524 South Second St., Room 210  
P.O. Box 19457  
Springfield, Illinois 62794-9457

- d) Reservations for pheasant hunting will be issued from the Springfield Permit Office for Des Plaines Conservation Area, Eldon Hazlet State Park (Carlyle Lake), Iroquois County Conservation Area, Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit, and Moraine View State Park, and Sand Ridge State Forest.
- e) ~~At Jim Edgar Panther Creek State Fish and Wildlife Area and Sand Ridge State Forest, reservations for the controlled hunting area will be issued from the site headquarters.~~
- ef) The Department will operate a conveyance for disabled hunters possessing a current Standing Vehicle Permit at some controlled pheasant hunting sites. Reservations for this conveyance must be made at least 27 days in advance, and shall be on a first come-first served basis. Sites where the conveyance will be available as well as dates of operation shall be publicly announced.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## Section 530.80 Controlled Pheasant Hunting Regulations

- a) Controlled Pheasant Hunting Seasons ~~The controlled hunting season is the first Wednesday of November through the next following December 31, both dates inclusive, with the following exceptions:~~
- 1) The following controlled pheasant hunting areas shall be closed to pheasant permit hunting on every Monday and Tuesday during the controlled hunting season and on December 25. With authorization from the Director, controlled pheasant hunting may be scheduled on Monday and Tuesday on DNR operated areas.

Des Plaines Conservation Area

Eldon Hazlet State Park (Carlyle Lake)

Iroquois County Conservation Area

Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit



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Moraine View State ParkSand Ridge State ForestWayne Fitzgerald State Park (Rend Lake)

- 2) The following controlled pheasant hunting ~~all~~ areas are open to the Illinois Youth Pheasant Hunting Program only on the first Sunday of the site's controlled pheasant hunting season ~~November 5--except-at-the-Richland-County-Controlled-Pheasant-Hunting-Area where-the-Illinois-Youth-Pheasant-Hunt-will-be--November--19--and except--at--Silver-Springs-and-Ramsey-Lake-where-a-Youth-Pheasant Hunting-Program-will-not-be-held.~~

Des Plaines Conservation AreaEldon Hazlet State Park (Carlyle Lake)Iroquois County Conservation AreaJim Edgar Panther Creek State Fish and Wildlife Area  
Controlled UnitMoraine View State ParkSand Ridge State ForestWayne Fitzgerald State Park (Rend Lake)

- 3) ~~The-controlled-hunting-season-on--the--Des--Plaines--Conservation Area-is-closed-during-the-November-3-day-firearm-deer-season.~~
- 34) The controlled hunting season on Lee County Conservation Area (Green River), Silver Springs State Park, Horseshoe Lake State Park (Madison County), Chain O'Lakes State Park and Ramsey Lake State Park will be publicly announced.
- 4) On the following area the controlled pheasant hunting season is the Wednesday before the first Saturday of November through the seventh Sunday following; exceptions are in parentheses:
- Iroquois County Conservation Area (closed during the November 3-day firearm deer season)
- 5) On the following areas the controlled pheasant hunting season is the Wednesday before the first Saturday of November through the ninth Sunday following; exceptions are in parentheses:

Des Plaines Conservation Area (closed during the November 3-day firearm deer season)

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Moraine View State Park

- 6) On the following areas the controlled pheasant hunting season is the first Wednesday of November through the ninth Sunday following:

Eldon Hazlet State ParkWayne Fitzgerald State Park

- 7) On the following areas the controlled pheasant hunting season is the first Saturday in November through the next following January 15; exceptions are in parentheses:

Jim Edgar Panther Creek State Fish and Wildlife Area  
Controlled Unit (closed during the November and December firearm deer seasons)

Sand Ridge State Forest

- 5) ~~The-controlled-hunting-season-on--the--Jim-Edgar--Panther--Creek State--Fish--and--Wildlife--Area--Controlled--Unit--is--the--first Saturday--in--November--through--the--next--following--January--14--except--closed--to--controlled--hunting--during--the--November--and December--firearm--deer--seasons.~~
- 6) ~~The-controlled-hunting-season-on-the-Iroquois-County-Conservation Area--is--the--first--Wednesday--of--November--through--the--next following--December--17--except--closed--during--the--November--3-day firearm-deer-season.~~
- 7) ~~The-controlled-hunting-season-on-Sand-Ridge-State-Forest-is-the first-Saturday-of-November-through-the-next-following-January-14--Hunting hours are from 9:00 a.m. to 4:00 p.m. (except on Thanksgiving Day hunting hours are 9:00 a.m. to 1:00 p.m. at Sand Ridge State Forest). Hunters with reservations are required to check in at the check station on the following sites at the listed times. Hunters with reservations that check in after the required check-in time may not be allowed to hunt if the site hunter quota has been filled between-7:00-a.m.-and-8:00-a.m.--(except-at-Jim-Edgar--Panther--Creek State--Fish--and--Wildlife--Area--Controlled--Unit--Silver--Springs--Horseshoe-Lake-State-Park--Madison-County)--Ramsey-Lake-and-Sand-Ridge where-hunters-are-required-to-check-in-between-8:00-a.m.-and-8:30 a.m.-)--Reservations--are--void--after-8:00-a.m.--(except-at-Jim-Edgar Panther--Creek--State-Fish--and--Wildlife--Area--Sand--Ridge--and--Wayne Fitzgerald--where-reservations-are-void-after-12:00-noon).~~
- b) ~~Hunting hours are from 9:00 a.m. to 4:00 p.m. (except on Thanksgiving Day hunting hours are 9:00 a.m. to 1:00 p.m. at Sand Ridge State Forest). Hunters with reservations are required to check in at the check station on the following sites at the listed times. Hunters with reservations that check in after the required check-in time may not be allowed to hunt if the site hunter quota has been filled between-7:00-a.m.-and-8:00-a.m.--(except-at-Jim-Edgar--Panther--Creek State--Fish--and--Wildlife--Area--Controlled--Unit--Silver--Springs--Horseshoe-Lake-State-Park--Madison-County)--Ramsey-Lake-and-Sand-Ridge where-hunters-are-required-to-check-in-between-8:00-a.m.-and-8:30 a.m.-)--Reservations--are--void--after-8:00-a.m.--(except-at-Jim-Edgar Panther--Creek--State-Fish--and--Wildlife--Area--Sand--Ridge--and--Wayne Fitzgerald--where-reservations-are-void-after-12:00-noon).~~

Chain O' Lakes State Park -- 7:00-8:00 a.m.

Des Plaines Conservation Area -- 7:00-8:00 a.m.



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Eldon Hazlet State Park (Carlyle Lake) -- 7:00-8:00 a.m.

Horseshoe Lake State Park (Madison County) -- 8:00-8:30 a.m.

Iroquois County Conservation Area -- 7:00-8:00 a.m.

Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit -- 8:00-8:30 a.m.

Moraine View State Park -- 7:00-8:00 a.m.

Ramsey Lake State Park -- 8:00-8:30 a.m.

Sand Ridge State Forest -- 8:00-8:30 a.m.

Silver Springs State Park -- 8:00-8:30 a.m.

Wayne Fitzgerald State Park (Rend Lake) -- 7:00 a.m.-12:00 noon

- c) When daily quotas are not filled, permits shall be issued on a first come-first served basis until 12:00 Noon; except for Standing Vehicle Permittees wishing to hunt from the Department disabled conveyance.

- d) Hunting licenses, daily usage stamps and fees:

1) Hunters are required to deposit their hunting license in the check station while hunting. Persons exempt by law from having a hunting license must deposit their Firearm Owner's Identification Card. If they are under 21 years old and do not have a card they must be accompanied by a parent, legal guardian or a person in loco parentis who has a valid card in possession.

2) At the Iroquois County Conservation Area hunters must obtain a daily usage stamp from the Department prior to hunting, except on the Sunday following Thanksgiving Day hunters under 16 are not required to obtain a stamp.

3) At Des Plaines Conservation Area, Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit, Moraine View State Park, Eldon Hazlet State Park (Carlyle Lake), Wayne Fitzgerald State Park and Sand Ridge State Forest, hunters must obtain a daily usage stamp from the Department prior to hunting, except on the Sunday following Thanksgiving Day and the Saturday between Christmas Day and New Years Day hunters under 16 are not required to obtain a stamp.

4) Fees and methods of payment at the following sites will be publicly announced:

Chain O'Lakes State Park  
Horseshoe Lake State Park (Madison County)  
Ramsey Lake State Park  
Silver Springs State Park

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- e) Hunters must wear a back patch issued by the check station.  
f) Anyone who has killed game previously and has it in his possession or in his vehicle must declare it with the person in charge of the area when he checks in. All such game found in a hunter's possession after he has started hunting on the area shall be considered illegally taken if the hunter has not declared it prior to going into the field.

- g) All hunting must be done with shotguns or bow and arrow. Only shot shells with a shot size of No. 5 lead, tungsten-iron, tungsten-polymer, tungsten-matrix, No. 4 bismuth, No. 3 steel or tin, or smaller may be used except at Chain O' Lakes State Park, Wayne Fitzgerald State Park and Eldon Hazlet State Park where only nontoxic shot approved by the U.S. Fish and Wildlife Service may be possessed and only shot shells with a shot size of No. 3 steel or tin, No. 4 bismuth, or No. 5 tungsten-iron, tungsten-polymer, tungsten-matrix or smaller may be used. Flu flu arrows only may be used by bow and arrow hunters.

- h) Non-hunters are not allowed in the field (except at special hunts publicly announced by the Department where non-hunters authorized by the Department shall be allowed in the field, and except for operators of Department conveyances of Standing Vehicle Permittees and single dog handler for the Permittee).

- i) Hunters under 16 years of age must be accompanied by an adult hunter.

- j) Daily limits:

1) Two pheasants of either sex at Eldon Hazlet State Park, Iroquois County Conservation Area, Wayne Fitzgerald State Park, and the Des Plaines Conservation Area.

2) Two pheasants of either sex, 8 bobwhite quail and 4 rabbits at Sand Ridge State Forest.

3) Two cock pheasants, 8 bobwhite quail (first 10 ten days of the season only) and 4 rabbits at Jim Edgar Panther Creek State Fish and Wildlife Area.

4) Four cock pheasants at Chain O' Lakes State Park and Silver Springs State Park.

5) Four pheasants of either sex (except that on the first day of fee hunting, each hunter will be allowed to harvest 4 quail and 2 rabbits in addition to 4 pheasants) at Horseshoe Lake State Park (Madison County).

6) Four pheasants of either sex, 8 bobwhite quail and 4 rabbits at Ramsey Lake State Park.

7) The daily limit at Chain O' Lakes State Park will be publicly announced:

7a) Two cock pheasants at Moraine View State Park and Lee County Conservation Area (Green River).

- k) Tagging of birds.

All pheasants must be affixed with a Department tag before they are removed from the area during the controlled pheasant hunting season. The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.



## DEPARTMENT OF NATURAL RESOURCES

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- 1) Hunters may not leave the confines of any permit area and return to hunt on the permit area during the same day.
- m) Any person who violates any provision of this Part or 17 Ill. Adm. Code 510.10(c)(1), (4) and (6) or 510.10(d)(7) or Section 2.33(n), (x) or (z) of the Wildlife Code [520 ILCS 5/2.33(n), (x) or (z)] shall be subject to arrest and/or removal from the premises for the remainder of the controlled pheasant hunting season under applicable statutes including 720 ILCS 5/21-5, Criminal Trespass to State Supported Land. Hunters may request a hearing within ten days after the citation by written request addressed to: Legal Division, Department of Natural Resources, 524 South Second Street, Springfield IL 62701-1787. Such hearing shall be governed by the provisions of 17 Ill. Adm. Code 2530.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 530.90 Illinois Youth Pheasant Hunting Sites Permit Requirements (Repealed)

- a) Applicants must contact the Department to obtain a permit reservation. Starting dates and methods for making reservations will be publicly announced. Only applications for reservations submitted by Illinois residents will be processed during the first two weeks of the application period. Reservations will be confirmed. Up to six reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted and that person will forfeit his right to acquire a reservation for the season. There is no fee for the youth pheasant hunting permit.
- b) Only one permit per person will be issued until the daily quota is filled. The daily quota is determined by the formula one hunter per 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available, the condition of topography, and configuration of the land at the site. The condition of the roads at the site, and the number of employees available to work at the site.
- c) The Springfield Permit Office cannot transfer or alter reservations to change hunting areas, dates, or hunters' names. Permits cannot be transferred on the hunting areas. For other information write to:

Illinois Department of Natural Resources

Pheasant

524 South 2nd Street, Room 210

P.O. Box 19457

Springfield, Illinois 62794-9457

- d) Reservations for the Illinois Youth Pheasant Hunt will be issued from the Springfield Permit Office for Chain O'Lakes State Park, Des Plaines Conservation Area, Edward R. Madigan State Park, Eldon-Hazlet

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State Park (Carlyle Lake), Iroquois County Conservation Area, Moraine View State Recreation Park, Wayne-Pitzgerrell (Rend Lake) State Park, Richland County Controlled Pheasant Hunting Area, Mackinaw River State Fish and Wildlife Area, Horseshoe Lake State Park (Madison County), Sand Ridge State Forest, Sangchris Lake State Park, and Jim Edgar Panther Creek State Fish and Wildlife Area (Controlled Area).

(Source: Repealed at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 530.100 Illinois Youth Pheasant Hunting Regulations (Repealed)

- a) The Illinois Youth Pheasant Hunt will be November 5-2000, except at the Richland County Controlled Pheasant Hunting Area where the hunt will be November 19 and at Mackinaw River State Fish & Wildlife Area where the hunt will be the Saturday preceding the opening of the statewide upland game season.
- b) Hunting hours are from 9:00 a.m. to 4:00 p.m., except at Sangchris Lake, hunting hours are from 12 noon to 4:00 p.m. Hunters with reservations or permits are required to check in at the check station between 7:00 a.m. and 8:00 a.m. (between 10:00 a.m. and 10:30 a.m. at Sangchris Lake State Park).
- c) All hunters must be between the ages of 10 and 15 inclusive and have a youth hunting permit. Stand-by permits will not be available except at Sangchris Lake and Edward R. Madigan State Park.
- d) All hunters are required to deposit their hunting licenses in the check station while hunting. Each permit holder MUST be accompanied by a non-hunting supervisory adult. If the hunter does not have a valid firearm owner's identification card (FOID), the supervisory adult is required to have a valid FOID card. Only one supervisory adult in a hunting party is required to have a valid FOID card. If the hunters in the hunting party stay under the immediate control (accompany youth hunter at all times) of the supervisory adult possessing the valid FOID card.
- e) Supervising adults are required to wear a cap and upper outer garment of solid and vivid blaze orange of at least 400 square inches. Hunters must wear a back patch issued by the check station.
- f) Anyone who has killed game previously and has it in his possession or in his vehicle must declare it with the person in charge of the area prior to hunting on the area. All previously killed game found in a hunter's possession after he has started hunting on the area will be considered illegally taken if the hunter has not declared it prior to going into the field.
- g) All hunting must be done with shotguns. Only shot shells with a shot size of No. 5 lead, tungsten iron, tungsten polymer, tungsten matrix, No. 4 bismuth or No. 3 steel or tin or smaller may be used except at Wayne-Pitzgerrell State Park where only shot shells approved as non-toxic by the U.S. Fish and Wildlife Service with a shot size of



DEPARTMENT OF NATURAL RESOURCES  
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Argyle Lake State Park (closed during firearm deer season) (1)

Banner Marsh State Fish and Wildlife Area (opens the day after the close of the central zone duck season) (1)

Big Bend State Fish and Wildlife Area (1)

Big River State Forest (closed during firearm deer season) (1)

Cache River State Natural Area (1)

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters (Corps of Engineers Managed Lands)

Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season)

Chain O'Lakes State Park (open Wednesday after controlled pheasant hunting season for 5 consecutive days, closed December 25; hunting hours 8 a.m. - 4 p.m.) (1)

Crawford County Conservation Area (1)

Cypress Pond State Natural Area (1)

Dog Island Wildlife Management Area (1)

Eldon Hazlet State Park (north of Allen Branch and west of Peppenhorst Branch only) (1)

Fern Clyffe State Park (1)

Fort de Chartres Historic Site (hunting with muzzleloading shotgun or bow and arrow only) (1)

Ft. Massac State Park (1)

Giant City State Park (1)

Hamilton County Conservation Area (8:00 a.m. - 4:00 p.m.) (1)

Horseshoe Lake Conservation Area (Alexander County) (Public

No. 3 steel or tin, No. 4 bismuth, No. 5 tungsten-iron tungsten-polymer, tungsten-matrix or smaller may be used.

h) Bailly limit:

i) Two pheasants of either sex at Bidon-Hazlet State Park, Iron County Conservation Area, Des Plaines Conservation Area, Richland County Controlled Pheasant Hunting Area, Wayne-Pitzgerrell State Park, Horseshoe Lake State Park (Madison County) and Sand Ridge State Forest:

2) Two cock pheasants only at the Moraine View State Park, Mackinaw River State Fish and Wildlife Area and Chain O'Lakes State Park:

3) Statewide limits: Sangchris Lake State Park, Edward R. Madigan State Park and Jim Edgar Panther Creek State Fish and Wildlife Area (Controlled Unit):

i) All pheasants must be affixed with a Department tag before they are removed from the area (except Sangchris Lake, Edward R. Madigan State Park and Mackinaw River State Fish and Wildlife Area). The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.

(Source: Repealed at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 530.110 Regulations for Non-Fee Hunting of Cock Pheasant, Hungarian Partridge, Quail, and Rabbit at Various Department-Owned or -Managed Sites

- a) General Site Regulations
- 1) All regulations in 17 Ill. Adm. Code 510 -- General Hunting and Trapping -- apply in this Section, unless this Section is more restrictive.
  - 2) Only flu flu arrows may be used by bow and arrow hunters; broadheads are not allowed.
  - 3) On sites which are indicated by (1), hunters must check in and/or sign out as provided for in 17 Ill. Adm. Code 510.
  - 4) On sites which are indicated by (2), only nontoxic shot approved by the U.S. Fish and Wildlife Service of size No. 3 steel or No. 5 bismuth shot or smaller may be used or possessed with a shot size of No. 3 steel or tin, No. 4 bismuth, No. 5 tungsten-iron, tungsten-polymer, tungsten-matrix or smaller may be used.
  - 5) Site specific rules or exceptions are noted in parentheses after each site.
- b) Site Specific Regulations
- 1) Statewide regulations apply at the following sites:
    - Anderson Lake Conservation Area (1)
    - Apple River Canyon State Park - Salem and Thompson Units (rabbits only; closed during firearm deer season) (1)



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Hunting Area, except Controlled Hunting Area) (1)

I-24 Wildlife Management Area (1)

Jim Edgar Panther Creek State Fish and Wildlife Area (West Open Unit) (1)

Jubilee College State Park (opens second day of statewide season; pheasant and quail close the Sunday after Thanksgiving) (1)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to and during duck season) (1)

Kinkaid Lake Fish and Wildlife Area (1)

~~Mackinaw-River-Fish-and-Wildlife-Area-(closed-during-firearm deer--season;--pheasant--and--quail--close--the-Sunday-after Thanksgiving)-(1)~~

Marseilles Wildlife (closed during the site's firearm deer season) (1)

Marshall Fish and Wildlife Area (closed during firearm deer season) (1)

Mazonia State Fish and Wildlife Area (upland season does not open until the day after the close of the site's waterfowl season; the site is closed Mondays, Tuesday, Christmas Day and New Year's Day) (1)

Mermet Lake Fish and Wildlife Area (1)

Mississippi River Pools 16, 17, 18

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 21, 22, 24

Mt. Vernon Game Propagation Center (hunting from January 1 to the end of season; rabbits only) (1)

Oakford Conservation Area

~~Panther-Creek-Conservation-Area-(1)~~

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Peabody River King State Fish and Wildlife Area (West Subunit only) (1)

Pyramid State Park (1)

Ramsey Lake State Park (8:00 a.m. to 4:00 p.m.; rabbits and quail only may be hunted on Mondays and Tuesday during the fee pheasant season) (1)

Randolph County Conservation Area (1)

Ray Norbut State Fish and Wildlife Area (all hunting closes December 15 in Eagle Roost Area)(1)

Red Hills State Park ~~(8:00-a.m.---4:00-p.m.-(1)~~

Rend Lake Project Lands and Waters

Saline County Conservation Area (1)

Sam Dale Lake Conservation Area (8:00 a.m. to 4:00 p.m.) (1)

Sam Parr State Park (8:00 a.m. to 4:00 p.m.) (1)

Sangamon County Conservation Area

Shawnee National Forest, Oakwood Bottoms (2)

Sielbeck Forest Natural Area (1)

Snake Den Hollow Fish and Wildlife Area (opens the day after the close of the Central Illinois Quota zone goose season) (1)

Stephen A. Forbes State Park (8:00 a.m. to 4:00 p.m.) (1)

Tapley Woods State Natural Area (closed during firearm and muzzleloading rifle deer seasons) (1)

Trail of Tears State Forest (1)

Turkey Bluffs State Fish and Wildlife Area (1)

Union County Conservation Area (Firing Line Management Area only) (1)

Weinberg-King State Park (1)



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## Wildcat Hollow State Forest

Witkowsky State Wildlife Area (rabbit only; opens after second firearm deer season) (1)

- 2) Statewide regulations apply at the following sites except that hunters must obtain a free site permit from site office; this permit must be in possession while hunting at the site. The permit must be returned, and harvest reported, by February 15 or the hunter will forfeit hunting privileges at the site for the following year:

Chauncey Marsh (obtain permit at Red Hills State Park headquarters)

Clinton Lake State Recreation Area (4:00 p.m. daily closing)

Fox Ridge State Park (4:00 p.m. daily closing)

Hidden Springs State Forest (no hunting during firearm deer season; 4:00 p.m. daily closing)

Jim Edgar Panther Creek State Fish and Wildlife Area (open unit)

Kickapoo State Park (4:00 p.m. daily closing; closed during firearm deer season)

Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Area (4:00 p.m. daily closing)

Middle Fork Fish and Wildlife Area (4:00 p.m. daily closing; closed during firearm deer season)

Moraine View State Park (rabbit hunting permitted Mondays and Tuesday during the site controlled hunting program and from Wednesday after the permit pheasant season until the end of the Northern Zone Rabbit Season. Quail and pheasant hunting are permitted Wednesday through Sunday following the permit pheasant season; 2 cock pheasants may be taken. All hunting is 8 a.m. to 4 p.m. only.)

Newton Lake Fish and Wildlife Area (closed during firearm deer season)

Sanganois State Fish and Wildlife Area

Ten Mile Creek State Fish and Wildlife Area (non-toxic shot only on posted waterfowl rest areas)

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- 3) Hunting is permitted on the following areas only on the dates listed in parentheses; daily hunting permits filled by drawing through DOC Permit Office. Procedures for application and drawings will be publicly announced. Illinois residents will have preference. Only one permit per person will be issued for each site. Each permit authorizes the holder to bring the number of additional hunting partners listed in parentheses for the day's hunt. The permit must be returned and harvest reported by February 15 or hunters will forfeit hunting privileges at the site for the following year:

Bradford Pheasant Habitat Area (open only November 3, 4, 7, 10, 14, 17, 21, 24, 28 47-57-87-117-157-187-227-257-29 and December 2, 6, 9, 13, 16, 20, 24 37-77-107-147-177-217-24; each permit authorizes the holder to bring 3 hunting partners)

Eagle Creek State Park (open only November 3, 4, 7, 10, 14, 17, 21, 24, 28 47-57-87-117-157-187-227-257-29 and December 2, 6, 9, 13, 16, 20, 24 37-77-107-147-177-217-24; each permit authorizes the holder to bring 3 hunting partners)

East Conant (open only November 7, 10, 12, 15, 19, 22, 25, 28 47-87-117-137-167-207-237-267-29 and December 3, 6, 8, 11, 14, 16, 20, 23, 27, 29 47-77-97-127-157-177-217-247-287-30 and January 2, 5, 8, 12 37-67-97-13; each permit authorizes the holder to bring 3 hunting partners)

Edward R. Madigan State Park (open on Mondays from the opening of upland game season until Christmas Day; each permit authorizes the holder to bring 3 hunting partners; check in required before hunting)

Freeman Mine (open every Wednesday in November and December starting with opening day of upland game season except during firearm deer season and December 24 and 25; each permit authorizes holder to bring 3 hunting partners; hunting hours 8 a.m. to 4 p.m.; daily bag limit is 2 cock pheasants, 4 quail, and 2 rabbits)

Green River State Wildlife Area (open only November 3, 5, 7, 10, 12, 21, 24, 26 47-67-87-117-137-157-227-257-27 and December 4, 6, 9, 11, 16, 18, 20, 23 57-77-107-127-147-177-197-217-24; each permit authorizes the holder to bring 5 hunting partners) (1) (2)

Hallsville Pheasant Habitat Area (open only November 3, 4, 7, 10, 14, 17, 21, 24, 28 47-57-87-117-157-187-227-257-29 and December 2, 6, 9, 13, 16, 20, 24 37-77-107-147-177-217-24; each permit authorizes the holder to bring 3 hunting partners)



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Hamilton County Conservation Area (Quail Unit) (open only November 3, 6, 9, 12, 15, 18, 21, 24, 27, 30 and December 3, 6, 9, 12, 15, 18, 21, 24, 27, 30 and January 5, 8, 11, 14; each permit authorizes the holder to bring 3 hunting partners; hunting hours 8 a.m. to 4 p.m.) (1)

Harry "Babe" Woodyard State Natural Area (open only November 3, 4, 7, 10, 14, 21, 24, 28 47-57-07-117-157-227-257-29 and December 6, 9, 13, 16, 20, 24 77-107-147-177-217-24; each permit authorizes the holder to bring 3 hunting partners; 8 a.m. to 4 p.m. hunting hours)

Herschel Workman Pheasant Habitat Area (open only November 3, 4, 7, 10, 14, 17, 21, 24, 28 47-57-07-117-157-107-227-257-29 and December 2, 6, 9, 13, 16, 20, 24 37-77-107-147-177-217-24; each permit authorizes the holder to bring 3 hunting partners)

Hindsboro Pheasant Habitat Area (open only November 3, 4, 7, 10, 14, 17, 21, 24, 28 47-57-07-117-157-107-227-257-29 and December 2, 6, 9, 13, 16, 20, 24 37-77-107-147-177-217-24; each permit authorizes the holder to bring 3 hunting partners)

Hurricane Creek Habitat Area (open only November 3, 4, 7, 10, 14, 21, 24, 28 47-57-07-117-157-227-257-29 and December 6, 9, 13, 16, 20, 24 77-107-147-177-217-24; each permit authorizes the holder to bring 3 hunting partners)

Jim Edgar Panther Creek State Fish and Wildlife Area (Quail Management Area) (open every Tuesday and Saturday in November, December and January starting with opening day of upland game season except during firearm deer season and December 24 and 25; each permit authorizes holder to bring 3 hunting partners)

Mackinaw River Fish and Wildlife Area (open only November 3, 4, 7, 10, 14, 21, 24, 28 and December 6, 9, 13, 16, 20, 24; each permit authorizes holder to bring 3 hunting partners)

Manito Pheasant Habitat Area (open only November 3, 4, 7, 10, 14, 17, 21, 24, 28 47-57-07-117-157-107-227-257-29 and December 2, 6, 9, 13, 16, 20, 24 37-77-107-147-177-217-24; each permit authorizes the holder to bring 3 three hunting partners)

Maytown Pheasant Habitat Area (open only November 3, 4, 7, 10, 14, 17, 21, 24, 28 47-57-07-117-157-107-227-257-29 and December 2, 6, 9, 13, 16, 20, 24 37-77-107-147-177-217-24; each permit authorizes the holder to bring 3 hunting partners)

Perdueville Pheasant Habitat Area (open only November 3, 4, 7,

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10, 14, 17, 21, 24, 28 47-57-07-117-157-107-227-257-29 and December 2, 6, 9, 13, 16, 20, 24 37-77-107-147-177-217-24; each permit authorizes the holder to bring 3 hunting partners)

Sand Prairie Pheasant Habitat Area (open only November 3, 4, 7, 10, 14, 17, 21, 24, 28 47-57-07-117-157-107-227-257-29 and December 2, 6, 9, 13, 16, 20, 24 37-77-107-147-177-217-24; each permit authorizes the holder to bring 5 hunting partners)

Sand Ridge State Forest (Sparks Pond Land and Water Reserve Area) (open on Saturdays and Tuesdays from the opening of the upland game season through the end of December except during firearm deer season; each permit authorizes holder to bring 3 hunting partners)

Sangchris Lake State Park (open every Wednesday and Saturday in November and December after the opening day of upland game season except during firearm deer season and December 24 and 25; each permit authorizes holder to bring 3 hunting partners; hunting hours 1 p.m. to sunset; check in required before hunting; December dates are for rabbits only)

Sato-Pied (open-only-November-47-07-117-167-207-237-267-29--and December--47--77--127-157-177-217-247-28-and-January-37-67-97-137 each-permit-authorizes-the-holder-to-bring-3-hunting-partners)

Saybrook Pheasant Habitat Area (McLean County) (open only November 3, 4, 7, 10, 14, 17, 21, 24, 28 47-57-07-117-157-107-227-257-29 and December 2, 6, 9, 13, 16, 20, 24 37-77-107-147-177-217-24; each permit authorizes the holder to bring 3 hunting partners)

Silom Springs State Park Buckhorn Unit (open only November 16, 18, 29 and December 1, 4, 8, 11, 15, 18, 22, 25, 29 and January 1, 5, 8, 12, 15; each permit authorizes the holder to bring 3 hunting partners)

Steward Pheasant Habitat Area (open only November 3, 4, 7, 10, 14, 17, 21, 24, 28 47-57-07-117-157-107-227-257-29 and December 2, 6, 9, 13, 16, 20, 24 37-77-107-147-177-217-24; each permit authorizes the holder to bring 3 hunting partners)

Victoria Pheasant Habitat Area (open only November 3, 4, 7, 10, 14, 17, 21, 24, 28 47-57-07-117-157-107-227-257-29 and December 3, 6, 9, 13, 16, 20, 24 37-77-107-147-177-217-24; each permit authorizes the holder to bring 5 hunting partners)

Willow Creek Habitat Area (open only November 3, 4, 7, 10, 14,



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17, 21, 24, 28 and December 2, 6, 9, 13, 16, 20, 24; each permit authorizes the holder to bring 3 hunting partners)

Wolf Creek State Park (open only November 3, 4, 7, 10, 14, 21, 24, 28 47-5, 87-117-157-227-257-29 and December 6, 9, 13, 16, 20, 24 77-107-147-177-217-24; each permit authorizes holder to bring 3 hunting partners)

- 4) The following sites will be open for pheasant, quail, rabbit and partridge hunting following the site's controlled pheasant hunting season; pheasants of either sex may be taken; all hen pheasants must be tagged by DNR before leaving sites; hunting hours are 8:00 a.m. - 4:00 p.m.; hunting dates are noted in parentheses:

Des Plaines Conservation Area (dates are 5 days following the close of the site's permit pheasant season excluding Mondays, Tuesday and Christmas) (1)

Eldon Hazlet State Park (controlled pheasant hunting area and for 5 consecutive days only) (1)

Iroquois County Wildlife Management Area (open Wednesday through Sunday following permit pheasant season) (1)

Johnson-Sauk Trail State Park (open Wednesday through Sunday following permit pheasant season) (2)

Kankakee River State Park (no quail hunting)

Washington County Conservation Area (1)

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Sport Fishing Regulations for the Waters of Illinois

- 2) Code Citation: 17 Ill. Adm. Code 810

- 3) Section Numbers: 810.45  
Proposed Action: Amendment

- 4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5].

- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to add fishing regulations for the newly acquired Buckhorn Unit at Siloam Springs State Park.

- 6) Will this rulemaking replace any emergency rulemaking currently in effect?  
No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Do these proposed amendments contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation  
810.45 Amendment 25 Ill. Reg. 6041, May 11, 2001

- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price  
Department of Natural Resources  
524 S. Second Street  
Springfield IL 62701-1787  
217/782-1809

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None



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B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 2000

The full text of the Proposed Amendment begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER b: FISH AND WILDLIFE

## PART 810

## SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

## Section

810.10 Sale of Fish and Fishing Seasons  
810.20 Snagging  
810.30 Pole and Line Fishing Only (Repealed)  
810.35 Statewide Sportfishing Regulations - Daily Catch and Size Limits  
810.37 Definitions for Site Specific Sportfishing Regulations  
810.40 Daily Catch and Size Limits (Repealed)  
810.45 Site Specific Water Area Regulations  
810.50 Bait Fishing  
810.60 Bullfrogs (Repealed)  
810.70 Free Fishing Days  
810.80 Emergency Protective Regulations  
810.90 Fishing Tournament Permit  
810.100 Bed Protection

AUTHORITY: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5].

SOURCE: Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendment at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendment at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency expired September 1, 1988; emergency amendment at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendment at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendment at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days; emergency expired February 1, 1990; emergency amendment at 13 Ill. Reg. 15118,



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

effective September 11, 1989, for a maximum of 150 days; emergency expired February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendment at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8588, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1990; amended at 15 Ill. Reg. 4699, effective March 18, 1991; emergency amendment at 15 Ill. Reg. 5430, effective March 27, 1991, for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9977, effective June 24, 1991; amended at 15 Ill. Reg. 13347, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 6016, effective March 25, 1992, for a maximum of 150 days; emergency expired August 22, 1992; amended at 16 Ill. Reg. 12526, effective July 28, 1992; amended at 17 Ill. Reg. 3853, effective March 15, 1993; emergency amendment at 17 Ill. Reg. 5915, effective March 25, 1993, for a maximum of 150 days; emergency expired August 22, 1993; amended at 17 Ill. Reg. 10806, effective July 1, 1993; amended at 18 Ill. Reg. 3277, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 5667, effective March 25, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 12652, effective August 9, 1994; amended at 19 Ill. Reg. 2396, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5262, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10614, effective July 1, 1995; amended at 20 Ill. Reg. 4640, effective March 6, 1996; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 21 Ill. Reg. 9389; amended at 21 Ill. Reg. 4709, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 5590, effective April 15, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12140, effective August 26, 1997; amended at 22 Ill. Reg. 4930, effective March 2, 1998; amended at 23 Ill. Reg. 3434, effective March 8, 1999; emergency amendment at 23 Ill. Reg. 7317, effective June 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 8406, effective July 7, 1999; amended at 24 Ill. Reg. 3736, effective February 25, 2000; amended at 25 Ill. Reg. 6296, effective March 26, 2001; amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 810.45 Site Specific Water Area Regulations

Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.

Anderson Lake Fish and Wildlife Area (33)  
Fulton County

Andover Lake, City of Andover  
Henry County  
All Fish

- 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Channel Catfish  
- 6 Fish Daily Creel Limit

Apple River  
Jo Daviess County  
Trout  
- Spring Closed Season (11)

Apple River Basin - Special Management Zone (within the boundaries of Apple River Canyon State Park, including tributaries)  
Jo Daviess County  
All Fish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 14" Minimum Length Limit

Argyle Lake, Argyle Lake State Park  
McDonough County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Hybrid Walleye  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 3 Fish Daily Creel Limit  
- 1 Fish more than 15" and/or 5 less than 12" Daily (12)  
- Fall Closed Season (10)  
- 10 Fish Daily Creel Limit

Trout  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie  
- 9" Minimum Length Limit

Arrowhead Heights Lake, Village of Camp Point  
Adams County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Arrowhead Lake, City of Johnston City  
Williamson County  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit

Ashland City Reservoir, City of Ashland  
Cass County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit

Ashley Reservoir, City of Ashley  
Washington County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Auburn Park Lagoon, Chicago Park District  
Cook County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Axehead Lake, Cook County Forest Preserve  
Cook County  
All Fish  
Large or Smallmouth Bass  
Trout  
Trout  
- 2 Pole and Line Fishing Only (1)  
(36)  
- 14" Minimum Length Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Baker Lake, City of Peru  
LaSalle County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit
- Baldwin Lake, Baldwin Lake Conservation Area  
Randolph County  
All Fish  
Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
White, Black, or Hybrid  
White, Black, or Hybrid  
Crappie (15)  
Crappie  
- 2 Pole and Line Fishing Only  
(1)(5)  
- 18" Minimum Length Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 25 Fish Daily Creel Limit  
- 9" Minimum Length Limit
- Banana Lake, Lake County Forest Preserve District  
Lake County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
Trout  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 1 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33)  
Peoria/Fulton Counties  
All Fish  
- 2 Pole and Line Fishing Only (1)(34)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
Pure Muskellunge  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie  
- 6 Fish Daily Creel Limit  
- 3 Fish Daily Creel Limit  
- 12"-18" Protected Slot Length Limit (no possession)  
- 42" Minimum Length Limit  
- 25 Fish Daily Creel Limit  
- 9" Minimum Length Limit
- Batchtown Wildlife Management Area (33)  
Calhoun County
- Baumann Park Lake, City of Cherry Valley  
Winnebago County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit
- Beall Woods Lake, Beall Woods Conservation Area  
Wabash County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Trout  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- Spring Closed Season (11)  
- Fall Closed Season (10)
- Beaver Dam Lake, Beaver Dam State Park  
Macoupin County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Trout  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie  
- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- Fall Closed Season (10)  
- 10 Fish Daily Creel Limit  
- 9" Minimum Length Limit
- Beck Lake, Cook County Forest Preserve District  
Cook County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
- 2 Pole and Line Fishing Only (1)(36)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 18" Minimum Length Limit



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

## Walleye

Belk Park Pond, City of Wood River  
Madison County

- Channel Catfish
- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 1 Fish Daily Creel Limit

Belleau Lake, Cook County Forest Preserve District  
Cook County

- All Fish
- 2 Pole and Line Fishing Only (36)
- 14" Minimum Length Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Bevier Lagoon, Waukegan Park District  
Lake County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Bird Park Quarry, City of Kankakee  
Kankakee County

- Trout
- Fall Closed Season (10)
- Spring Closed Season (11)

Bowen Lake, City of Washington  
Tazewell County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12"-15" Protected Slot Length Limit (no possession)
- 3 Fish Daily Creel Limit

Borah Lake, City of Olney  
Richland County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Boston Pond, Stephen A. Forbes State Park  
Marion County

- Trout
- Fall Closed Season (10)
- Spring Closed Season (11)

Braidwood Lake State Fish and Wildlife Area (41)  
Will County

(Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 10 days prior to duck season through the day before

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)

- All Fish
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 17" Minimum Length Limit

- Large or Smallmouth Bass
- 3 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- Striped, White, or Hybrid
- 3 Fish Daily Creel Limit
- Striped Bass
- 10 Fish Daily Creel Limit
- White, Black, or Hybrid
- 3 Fish Daily Creel Limit
- Crappie (15)

Breeze JC's Park Pond, City of Breeze  
Clinton County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)

Buckner City Reservoir, City of Buckner  
Franklin County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Bullfrog Lake, Cook County Forest Preserve District  
Cook County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Bluegill or Redear Sunfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Bluegill or Redear Sunfish (14)

Bunker Hill Lake, City of Bunker Hill  
Macoupin County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Channel Catfish

Burrells Wood Park Pond  
White County

- Channel Catfish
- 6 Fish Daily Creel Limit

Busse Lake, Cook County Forest Preserve  
Cook County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- Bluegill or Redear Sunfish
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- Bluegill or Redear Sunfish (14)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Channel Catfish  
 Large or Smallmouth Bass  
 Walleye, Sauger, or Hybrid  
 Walleye

Cache River State Natural Area (19)  
 Pulaski/Johnson Counties

Calhoun Point Wildlife Management Area (33)  
 Calhoun County

Calumet River  
 Cook County  
 Yellow Perch  
 Yellow Perch

Campbell Pond Wildlife Management Area (19)  
 Jackson County

Campus Lake - Southern Illinois University, State of Illinois  
 Jackson County

All Fish  
 Channel Catfish

Campus Pond - Eastern Illinois University, State of Illinois

Coles County  
 All Fish  
 Channel Catfish  
 Trout  
 Trout

Canton Lake, City of Canton  
 Fulton County

All Fish  
 Channel or Blue Catfish (14)  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)

Carbondale City Reservoir, City of Carbondale

Jackson County  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)

Carlinville Lake #2, City of Carlinville  
 Macoupin County

All Fish  
 Channel Catfish

- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Carlton Silt Basin, State of Illinois  
 Whiteside County

All Fish  
 Bluegill or Redear Sunfish  
 Bluegill or Redear Sunfish (14)  
 Large or Smallmouth Bass

Carlyle Lake, U.S. Army Corps of Engineers (20) (33)

Clinton/Bond/Fayette Counties  
 Large or Smallmouth Bass  
 White, Black, or Hybrid  
 Crappie (15)  
 White, Black, or Hybrid  
 Crappie

Carthage Lake, City of Carthage

Hancock County  
 All Fish  
 Channel Catfish

Cedar Lake, U.S. Forest Service and City of Carbondale  
 Jackson County (19)

All Fish  
 - 2 Pole and Line Fishing Only (1)  
 (5)

Large or Smallmouth Bass  
 14"-18" Protected Slot Length  
 Limit (no possession)

Large or Smallmouth Bass  
 Striped, White, or Hybrid  
 Striped Bass

Striped, White, or Hybrid  
 Striped Bass (16)

Centralia Foundation Park Catfish Pond, Centralia Park Foundation

Marion County

All Fish  
 Channel Catfish

Centralia Lake, City of Centralia

Marion County  
 Large or Smallmouth Bass

- 15" Minimum Length Limit

Cermack Quarry, Cook County Forest Preserve District

Cook County

All Fish

Channel Catfish  
 Large or Smallmouth Bass

- 2 Pole and Line  
 Fishing Only (1)(36)

- 6 Fish Daily Creel Limit  
 - 14" Minimum Length Limit



DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Champaign Park District Lakes (Kaufman Lake, Heritage Lake, and Mattis Lake), Champaign Park District  
Champaign County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit

Charleston Lower Channel Lake, City of Charleston  
Coles County  
All Fish  
- 2 Pole and Line Fishing Only (1)

Charleston Side Channel Lake, City of Charleston  
Coles County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit

Charlie Brown Lake & Pond, City of Flora  
Clay County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

Charter Oak North - Peoria Park District Lake, Peoria Park District  
Peoria County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit

Charter Oak South - Peoria Park District Pond, Peoria Park District  
Peoria County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
2 Pole and Line Fishing Only (1)  
6 Fish Daily Creel Limit  
15" Minimum Length Limit  
1 Fish Daily Creel Limit

Chauncey Marsh (19)  
Lawrence County  
Chenoa City Lake, City of Chenoa  
McLean County  
All Fish  
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Chicago River (including its North Branch, South Branch, and the North Shore Channel)  
Cook County  
Yellow Perch  
Yellow Perch  
- 15 Fish Daily Creel Limit  
- Closed During July

Citizen's Lake, City of Monmouth  
Warren County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- Fall Closed Season (10)

Clear Lake, Kickapoo State Park  
Vermillion County  
All Fish  
Channel Catfish  
Trout  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)

Clinton Lake, Clinton Lake State Recreation Area (19)  
DeWitt County  
All Fish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Striped, White, or Hybrid  
Striped Bass (16)  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie  
- 2 Pole and Line Fishing Only (1)(18)  
- 16" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 10 Creel/3 Fish 17" or Longer Daily (17)  
- 15 Fish Daily Creel Limit  
- 9" Minimum Length Limit

Coffee Lake, Coffee Lake State Fish and Wildlife Area  
Montgomery County  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
- All jugs must be attended at all times while fishing (2)  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 10 Fish Daily Creel Limit  
- 9" Minimum Length Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Striped Bass (16)

Coles County Airport Lake, Coles County Airport  
Coles County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

Coleta Trout Pond, State of Illinois  
Whiteside County  
Trout  
Trout  
- Fall Closed Season (10)  
- Spring Closed Season (11)

Columbus Park Lagoon, Chicago Park District  
Cook County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Cook Co. F.P.D. Lakes, Cook County Forest Preserve District  
Cook County  
All Fish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 14" Minimum Length Limit

Coulterville City Lake, City of Coulterville  
Randolph County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Crab Orchard National Wildlife Refuge - Crab Orchard Lake, U.S. Fish and Wildlife Service (19)  
Williamson County  
All Fish  
Striped, White, or Hybrid  
Striped Bass (16)  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)(4)  
- 10 Creel/3 Fish 17" or Longer Daily (17)  
- 15" Minimum Length Limit

Crab Orchard National Wildlife Refuge - Devil's Kitchen Lake, U.S. Fish and Wildlife Service (19)  
Williamson County  
All Fish  
- 2 Pole and Line Fishing Only (1)

Crab Orchard National Wildlife Refuge - Little Grassy Lake, U.S. Fish and Wildlife Service (19)  
Williamson County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 12-15" Slot Length Limit (3)

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Crab Orchard National Wildlife Refuge. Refuge Ponds (except Visitor Pond), U.S. Fish and Wildlife Service  
Williamson County  
All Fish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 15" Minimum Length Limit

Crab Orchard National Wildlife Refuge. Visitor Pond, U.S. Fish and Wildlife Service  
Williamson County  
All Fish (30)  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 21" Minimum Length Limit

Crawford Co. Cons. Area - Picnic Pond, Crawford County Conservation Area  
Crawford County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- Fall Closed Season (10)

Crawford Co. Cons. Area Ponds, Crawford County Conservation Area  
Crawford County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit

Cull Impoundment Wildlife Management Area (33)  
Jersey County

Crystal Lake, Urbana Park District  
Champaign County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Dawson Lake & Park Ponds, Moraine View State Park  
McLean County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
Walleye (14)  
White, Black or Hybrid Crappie  
White, Black or Hybrid  
Crappie (15)  
- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 9" Minimum Length Limit  
- 15 Fish Daily Creel Limit

Decatur Park Dist. Ponds, City of Decatur  
Macon County



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Deep Pit Lake, Boone County Conservation District  
Boone County
- All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- Defiance Lake, Moraine Hills State Park  
McHenry County
- All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- Des Plaines River Basin - Special Management Zone (Hoffman Dam to 47th Street  
Bridge, including tributaries)  
Cook County
- Channel Catfish  
Channel Catfish
- 15" Minimum Length Limit  
- 6 Fish Daily Creel Limit  
- Catch and Release Only -  
No Harvest Permitted (9)  
- 30" Minimum Length Limit  
- 1 Fish Daily Creel Limit  
- 10 Fish Daily Creel Limit
- Northern Pike  
Northern Pike
- 18" Minimum Length Limit
- White, Black or Hybrid  
Crappie (15)
- 1 Fish Daily Creel Limit
- Walleye, Sauger, or  
Hybrid Walleye
- 1 Fish Daily Creel Limit
- Walleye, Sauger, or  
Hybrid Walleye (14)
- Des Plaines River Conservation Area (19)  
Will County
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Diamond Lake, City of Mundelein  
Lake County
- All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- Dog Island Wildlife Management Area (19)  
Pope County
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- Dolan Lake, Hamilton County  
Conservation Area
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Hamilton County
- All Fish  
Bluegill or Redear Sunfish
- 2 Pole and Line Fishing Only (1)  
- 8" Minimum Length Limit  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit
- Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 8" Minimum Length Limit
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit
- Donnelley State Wildlife Area (33)  
Bureau County
- Douglas Park Lagoon, Chicago Park District  
Cook County
- All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- DuPage County Forest Preserve District Lakes and Ponds, DuPage County Forest  
Preserve District  
DuPage County
- All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- DuPage River - West Branch (between the dams located in the McDowell Grove  
Forest Preserve and the Warrenville Grove Forest Preserve)  
DuPage County
- Large or Smallmouth Bass
- Catch and Release Fishing Only (9)
- East Fork Lake, City of Olney  
Richland County
- All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 25 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 25 Fish Daily Creel Limit
- White, Black, or Hybrid  
Crappie (15)
- Eldon Hazlet State Park (19) (See Also Carlyle Lake)  
Clinton County
- Elkville City Reservoir, City of Elkville  
Jackson County
- Large or Smallmouth Bass
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- Elliott Lake, Wheaton Park District  
DuPage County
- All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Evergreen Lake, City of Bloomington  
McLean County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 48" Minimum Length Limit (40)
- 25 Fish Daily Creel Limit
- White, Black, or Hybrid
- Crappie (15)

Faries Park Pond, City of Decatur  
Macon County

- Fall Closed Season (10)

Ferne Clyffe Lake, Ferne Clyffe State Park  
Johnson County

- All Fish
- Channel Catfish
- Trout
- Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Flatfoot Lake, Cook County Forest Preserve District  
Cook County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Foli Park Pond, Village of Plano  
Kendall County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Forbes State Lake, Stephen A. Forbes State Park  
Marion County

- All Fish
- Bluegill or Redear Sunfish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- 2 Pole and Line Fishing Only (1)(5)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Forbes State Park Ponds, Stephen A. Forbes State Park  
Marion County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)(5)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Forest Park Lagoon, City of Shelbyville  
Shelby County

- All Fish
- Channel Catfish
- Trout
- Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Fort de Chartres Historic Site (19)  
Randolph County

## Four Lakes, Winnebago County Forest Preserve

- Winnebago County
- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Fox Chain O'Lakes (including the Fox River south of the Wisconsin-Illinois boundary to the McHenry Dam) (6) (Applies to Grass Lake and Nippersink Lake State Managed Blind Areas Only (19)), State of Illinois  
Lake and McHenry Counties

- Large or Smallmouth Bass
- Pure Muskellunge
- Walleye, Sauger, or Hybrid
- Walleye
- Walleye, Sauger, or Hybrid
- Walleye (14)
- 14" Minimum Length Limit (6)
- 48" Minimum Length Limit (40)
- 14" Minimum Length Limit with an 18-24" Protected Slot Length Limit (no possession) (6)
- 2 Fish >or=14" and <18" &/or 1 Fish >24" Daily Creel Limit (35)

Fox Ridge State Park (see also Wilderness Pond and Ridge Lake) (19)  
Coles CountyFox River Basin - Special Management Zone (North Aurora Dam to Montgomery Dam, including tributaries)  
Kane County

- Large or Smallmouth Bass
- 14" Minimum Length Limit

Fox River Basin - Special Management Zone (South Elgin Dam to North Aurora Dam, including tributaries)  
Kane County

- Large or Smallmouth Bass
- Catch and Release Only - No Harvest Permitted (9)

Frank Holten Lakes, Frank Holten State Park  
St. Clair County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Large or Smallmouth Bass - 14" Minimum Length Limit  
 Trout - Fall Closed Season (10)  
 Trout - Spring Closed Season (11)

Franklin Creek (within the boundaries of Franklin Creek State Natural Area)  
 Lee County  
 All Fish - 2 Pole and Line Fishing Only (1)(9)

Fuller Lake (19)  
 Calhoun County

Fulton County Camping and Recreation Area Waters, Fulton County Board  
 Fulton County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 12"-15" Protected Slot Length Limit (no possession)  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
 Blue gill or Redear Sunfish (14) - 25 Fish Daily Creel Limit

Gages Lake, Wildwood Park District  
 Lake County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
 Walleye, Sauger, or Hybrid - 16" Minimum Length Limit  
 Walleye - 3 Fish Daily Creel Limit  
 Walleye, Sauger, or Hybrid - 3 Fish Daily Creel Limit  
 Walleye (14)

Garfield Park Lagoon, Chicago Park District  
 Cook County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

Gebhard Woods Ponds, Gebhard Woods State Park  
 Grundy County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Trout - Spring Closed Season (11)

Giant City Park Ponds, Giant City State Park  
 Jackson and Union Counties  
 Largemouth and Spotted Bass - 15" Minimum Length Limit

Gillespie New City Lake, City of Gillespie  
 Macoupin County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 12-15" Slot Length Limit (3)  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Gillespie Old City Lake, City of Gillespie  
 Macoupin County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Glades - 12 Mile Island Wildlife Management Area (33)  
 Jersey County

Gladstone Lake, Henderson County Conservation Area  
 Henderson County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
 Channel or Blue Catfish (14) - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 12-15" Slot Length Limit (3)  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Glen Oak Park Lagoon, Peoria Park District  
 Peoria County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

Glen Shoals Lake, City of Hillsboro  
 Montgomery County  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
 Striped, White, or Hybrid - 17" Minimum Length Limit  
 Striped Bass - 3 Fish Daily Creel Limit  
 Striped, White, or Hybrid - 3 Fish Daily Creel Limit  
 Striped Bass (16)

Godar-Diamond/Hurricane Island Wildlife Management Area (33)  
 Calhoun County

Gompers Park Lagoon, Chicago Park District  
 Cook County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

Gordon F. More Park Lake, City of Alton  
 Madison County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)
- Governor Bond Lake, City of Greenville  
Bond County  
Channel Catfish
- 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
  - 3 Fish Daily Limit
- Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
White, Black, or Hybrid  
Crappie (15)
- All jugs must be attended at all times while fishing (2)
  - 15" Minimum Length Limit
  - 3 Fish Daily Creel Limit
  - 17" Minimum Length Limit
  - 3 Fish Daily Creel Limit
  - 25 Fish Daily Creel Limit
- Grayslake Park District (Grayslake and Park Ponds)  
Lake County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
  - 3 Fish Daily Creel Limit
- Greenfield City Lake, City of Greenfield  
Greene County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 12"-15" Protected Slot Length Limit (no possession)
  - 5 Fish Under 12" and 1 Fish Over 15" Daily Creel Limit
- Greenville Old City Lake, City of Greenville  
Bond County  
All Fish  
Channel Catfish  
Trout  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - Fall Closed Season (10)
  - 15" Minimum Length Limit
  - 3 Fish Daily Creel Limit
- Harrisburg New City Reservoir, City of Harrisburg  
Saline County  
All Fish  
Channel Catfish  
Striped, White, or Hybrid Striped Bass  
Striped, White or
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 17" Minimum Length Limit
  - 3 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Hybrid Striped Bass (16)
- Harrisburg Holding Pits North and South, City of Harrisburg  
Saline County  
All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
- Heidecke Lake, Heidecke Lake State Fish and Wildlife Area  
Grundy County (41)
- (Heidecke Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)
- All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Striped, White, or Hybrid  
Striped Bass (16)  
Walleye, Sauger, or Hybrid  
Walleye  
Walleye, Sauger, or Hybrid  
Walleye (14)
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
  - 3 Fish Daily Creel Limit
  - 10 Creel/3 Fish 17" or Longer Daily (17)
  - 22" Minimum Length Limit
  - 3 Fish Daily Creel Limit
- Helmhold Slough (19)  
Calhoun County
- Hennepin Canal-Mainline & Feeder, Hennepin Canal Parkway State Park  
Multiple Counties  
All Fish
- 2 Pole and Line Fishing Only (1)(13)
  - 14" Minimum Length Limit
  - Fall Closed Season (10)
  - Spring Closed Season (11)
- Large or Smallmouth Bass  
Trout  
Trout
- Herrin Lake #1, City of Herrin  
Williamson County  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
  - 3 Fish Daily Creel Limit
- Herrin Lake #2, City of Herrin  
Williamson County  
All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
- Hidden Springs State Forest Ponds, Hidden Springs State Forest  
Shelby County



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

All Fish - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 18" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

## Highland Old City Lake, City of Highland

Madison County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Trout - Fall Closed Season (10)

## Hillsboro Old City Lake, City of Hillsboro

Montgomery County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 12-15" Slot Length Limit (3)

## Homer Guthrie Pond - Eldon Hazlet State Park, State of Illinois

Clinton County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit

## Homer Lake, Champaign County Forest Preserve District

Champaign County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish - 8" Minimum Length Limit  
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit

## Hornel Pond, Donnelly State Fish and Wildlife Area

Bureau County  
 All Fish - 2 Pole and Line Fishing Only (1)(5)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit

## Horseshoe Lake-Alexander Co., Horseshoe Lake Conservation Area

Alexander County  
 (Only trolling motors in refuge from October 5-March 1)  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - (5)  
 Large or Smallmouth Bass - 6 Fish Daily Creel Limit  
 - 14" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

## Horseshoe Lake-Madison County, Horseshoe Lake State Park (33)

Madison County  
 All Fish - 2 Pole and Line Fishing Only (1)(28)(34)  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
 White, Black or Hybrid - 25 Fish Daily Creel Limit  
 Crappie (15)

## Horton Lake, Nauvoo State Park

Hancock County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

## Hulit Park Big Lake, Canton Park District

Fulton County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

## Humbolt Park Lagoon, Chicago Park District

Cook County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

## Illinois &amp; Michigan Canal, State of Illinois

Grundy/LaSalle/Will Counties  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Trout - Spring Closed Season (11)

## Illinois Beach State Park Ponds, Illinois Beach State Park

Lake County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

## Illinois Department of Transportation Lake, State of Illinois

Sangamon County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Trout - Fall Closed Season (10)  
 Trout - Spring Closed Season (11)

## Illinois River - Pool 26 (19)

Calhoun County



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Illinois River, State of Illinois  
Multiple Counties

Large or Smallmouth Bass - 12" Minimum Length Limit

Independence Grove Lake, Lake County Forest Preserve District  
Lake County

All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Pure Muskellunge - 48" Minimum Length Limit

Indian Boundary South Pond, Frankfort Square Park District  
Will County

All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Jackson Park (Columbia Basin) Lagoon, Chicago Park District  
Cook County

All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Jim Edgar/Panther Creek Fish and Wildlife Area, All Lakes and  
Ponds, Jim Edgar/Panther Creek Fish and Wildlife Area

Cass County  
All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish - 8" Minimum Length Limit  
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Jim Edgar/Panther Creek Fish and Wildlife Area, Gurney Road Pond,  
Jim Edgar/Panther Creek Fish and Wildlife Area

Cass County  
All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish - 8" Minimum Length Limit  
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
Trout - Spring Closed Season (11)

Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park  
Henry County

All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Jones Park Lake, City of East St. Louis  
St. Clair County

All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Trout - Fall Closed Season (10)  
Trout - Spring Closed Season (11)

Jones State Lake, Saline County Conservation Area  
Saline County

All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14"-18" Protected Slot Length Limit (no possession) (38)  
Large or Smallmouth Bass - 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit

Jones Lake Trout Pond, Saline County Conservation Area  
Saline County

Trout - Fall Closed Season (10)

Jubilee College State Park Ponds,  
Jubilee College State Park  
Peoria County

All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Kankakee River Basin - Special Management Zone (Wilmington Dam to the Mouth of  
the Kankakee River, including tributaries)  
Will/Grundy Counties

Large or Smallmouth Bass - 12" - 16" Protected Slot Length Limit (no possession) (37)  
Large or Smallmouth Bass (14) - 1 Fish over 16" and 2 Fish under 12" Daily Creel Limit

Kankakee River Basin - Special Management Zone (Kankakee Dam to the Wilmington  
Dam, including tributaries)  
Kankakee/Will Counties

Large or Smallmouth Bass - 14" Minimum Length Limit  
Large or Smallmouth Bass - Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)

## Kankakee River State Park (19)

Kankakee/Will Counties

## Kaskaskia River Fish and Wildlife Area (19)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

## St. Clair/Randolph/Monroe Counties

Kaskaskia River Fish and Wildlife Area - Doza Creek Wildlife Management Area (33)

## St. Clair County

## Kendall Co. Lake #1, Kendall County Forest Preserve District

## Kendall County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

## Kent Creek

## Winnebago County

## Trout

- Spring Closed Season (11)

## Kickapoo State Park Lakes &amp; Ponds, Kickapoo State Park

## Vermilion County

## All Fish

- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

## Kincaid City Reservoir, City of Kincaid

## Christian County

## All Fish

- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

## Kincaid Lake, Kincaid Lake State Fish and Wildlife Area (19)

## Jackson County

- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Pure Muskellunge
- White, Black, or Hybrid
- Crappie
- White, Black, or Hybrid
- Crappie (15)
- 16" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 48" Minimum Length Limit (40)
- 9" Minimum Length Limit

- 25 Fish Daily Creel Limit

## Kinmundy Reservoir, City of Kinmundy

## Marion County

## All Fish

- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)(5)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

## Lake Atwood, McHenry County Conservation District

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

## McHenry County

All Fish  
Channel Catfish  
Trout

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Spring Closed Season (11)

## Lake Bloomington, City of Bloomington

## McLean County

## All Fish

Bluegill or Redear Sunfish  
Bluegill or Redear Sunfish (14)

Large or Smallmouth Bass

Striped, White, or Hybrid

Striped Bass

Striped, White, or Hybrid

Striped Bass (16)

White, Black, or Hybrid

Crappie (15)

- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 17" Minimum Length Limit

- 3 Fish Daily Creel Limit

- 25 Fish Daily Creel Limit

## Lake Carlton, Morrison-Rockwood State Park

## Whiteside County

## All Fish

Channel Catfish

Large or Smallmouth Bass (14)

Large or Smallmouth Bass

Pure Muskellunge

White, Black, or Hybrid

Crappie (15)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 36" Minimum Length Limit

- 25 Fish Daily Creel Limit

## Lake Chautaugua North Pool, U.S. Fish and Wildlife Service

## Mason County

Largemouth Bass

- 15" Minimum Length Limit (12" Minimum Length Limit when the Illinois River overflows the levee system of the North Pool)

## Lake Co. Forest Preserve District Lakes, Lake County Forest Preserve District

## Lake County

## All Fish

Channel Catfish

Large Smallmouth Bass (14)

Large or Smallmouth Bass

Walleye, Sauger, or Hybrid Walleye

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 16" Minimum Length Limit

## Lake Decatur, City of Decatur

## Macon County

## All Fish

White, Black, or Hybrid

- 2 Pole and Line Fishing Only (1)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Crappie  
White, Black, or Hybrid  
Crappie (15)
- 10" Minimum Length Limit  
- 10 Fish Daily Creel Limit
- Lake Depue Fish and Wildlife Area (33)  
Bureau County
- Lake Eureka, City of Eureka  
Woodford County
- All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit
- Lake George, Loud Thunder Forest Preserve  
Rock Island County
- All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Pure Muskellunge  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
White, Black, or Hybrid  
Crappie (15)
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 36" Minimum Length Limit  
- 17" Minimum Length Limit  
- 1 Fish Daily Creel Limit  
- 25 Fish Daily Creel Limit
- Lake Jacksonville, City of Jacksonville  
Morgan County
- All Fish  
Bluegill or Redear Sunfish  
Bluegill or Redear Sunfish  
Channel Catfish  
Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
White, Black, or Hybrid  
Crappie  
White, Black, or Hybrid  
Crappie
- 2 Pole and Line Fishing Only (1)  
- 8" Minimum Length Limit  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 25 Fish Daily Creel Limit  
- 9" Minimum Length Limit
- 2 Pole and Line Fishing Only (1)  
- 8" Minimum Length Limit  
- 10 Fish Daily Creel Limit  
- 8" Minimum Length Limit  
- 10 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
White, Black, or Hybrid  
Crappie (15)
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 25 Fish Daily Creel Limit
- Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park  
Stephenson County
- All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
White, Black, or Hybrid  
Crappie (15)
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 1 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 10 Fish Daily Creel Limit
- Lake Mendota, City of Mendota  
LaSalle County
- All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 1 Fish >or=15" &/or 2 < 12" Daily (31)
- Lake Michigan (Illinois Portion), State of Illinois  
Lake/Cook Counties
- Trout and Salmon  
Trout and Salmon
- 10" Minimum Length Limit  
- no more than 5 fish of any one species daily, except for Lake Trout  
- 2 Fish Daily Creel Limit  
- 15 Fish Daily Creel Limit  
- Taking of yellow perch from charter boats is prohibited  
- Closed During July  
- Catch and Release Fishing Only (no possession) (9)
- Lake Trout  
Yellow Perch  
Yellow Perch  
Yellow Perch  
Large or Smallmouth Bass (14)
- 2 Fish Daily Creel Limit  
- 15 Fish Daily Creel Limit  
- Taking of yellow perch from charter boats is prohibited  
- Closed During July  
- Catch and Release Fishing Only (no possession) (9)
- Lake Milliken, Des Plaines Conservation Area  
Will County
- All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Trout
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- Spring Closed Season (11)
- Lake Mingo & Kennekuk Cove Park Ponds, Vermilion County Conservation Area  
Vermilion County
- All Fish  
Channel Catfish  
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Lake Murphysboro, Lake Murphysboro State Park  
Jackson County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 3 Fish Daily Creel Limit

Lake Nellie, City of St. Elmo  
Fayette County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass (14)
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)(5)
- 6 Fish Daily Creel Limit
- 3 Fish Daily Creel Limit
- 14" Minimum Length Limit

Lake of the Woods & Elk's Pond, Champaign County Forest Preserve District  
Champaign County

- All Fish
- Bluegill or Redear Sunfish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Trout
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Spring Closed Season (11)

Lake Owen, Hazel Crest Park District  
Cook County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Lake Paradise, City of Mattoon  
Coles County

- All Fish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit

Lake Paradise Shadow Ponds, City of Mattoon  
Coles County

- All Fish
- Large or Smallmouth Bass
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit
- 6 Fish Daily Creel Limit

Lake Sara, City of Effingham  
Effingham County

- Large or Smallmouth Bass
- White, Black, or Hybrid
- Crappie (15)
- 14" Minimum Length Limit
- 25 Fish Daily Creel Limit

Lake Shelbyville (21), U.S. Army Corps of Engineers  
Moultrie/Shelby Counties

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

(During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad Bridge from one-half hour before sunrise to 1 p.m.)

- Large or Smallmouth Bass
- Pure Muskellunge
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie
- 14" Minimum Length Limit
- 48" Minimum Length Limit (40)
- 10 Fish Daily Creel Limit
- 10" Minimum Length Limit

Lake Shelbyville - Project Ponds & Woods Lake, Lake Shelbyville State Fish and Wildlife Area (33)

Moultrie/Shelby Counties

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- White, Black, or Hybrid
- Crappie
- White, Black, or Hybrid
- Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 10" Minimum Length Limit
- 10 Fish Daily Creel Limit

Lake Sinnissippi (19)

Whiteside County

Lake Springfield, City of Springfield

Sangamon County

- All Fish
- Large or Smallmouth Bass
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie
- 2 Pole and Line Fishing Only (1)
- 15" minimum Length Limit
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit

Lake Storey, City of Galesburg

Knox County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel or Blue Catfish (14)
- Large or Smallmouth Bass
- Pure Muskellunge
- Walleye, Sauger, or Hybrid
- Walleye (14)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 42" Minimum Length Limit
- 3 Fish Daily Creel Limit

Lake Strini, Village of Romeoville  
Will County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Lake Sule, Flagg-Rochelle Park District  
Ogle County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 5 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Pure Muskellunge - 36" Minimum Length Limit
- White, Black or Hybrid - 10 Fish Daily Creel Limit
- Crappie (15)

Lake Taylorville, City of Taylorville  
Christian County

- Large or Smallmouth Bass - 15" Minimum Length Limit
- White, Black, or Hybrid - 9" Minimum Length Limit
- Crappie
- White, Black, or Hybrid - 25 Fish Daily Creel Limit
- Crappie (15)

Lake Vandalia, City of Vandalia  
Fayette County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Striped, White, or Hybrid - 17" Minimum Length Limit
- Striped Bass
- Striped, White, or Hybrid - 3 Fish Daily Creel Limit
- Striped Bass (16)

Lake Vermilion, Vermilion County Conservation District  
Vermilion County

- All Fish - 2 Pole and Line Fishing Only (26)
- Large or Smallmouth Bass - 15" Minimum Length Limit (23)
- Pure Muskellunge - 48" Minimum Length Limit (40)
- White, Black, or Hybrid - 9" Minimum Length Limit
- Crappie
- White, Black, or Hybrid - 25 Fish Daily Creel Limit
- Crappie (15)

Lake Victoria, City of South Beloit  
Winnebago County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Lake Williamsville, City of Williamsville  
Sangamon County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

LaSalle Lake, LaSalle Power Station  
LaSalle County

- All Fish - 2 Pole and Line Fishing Only (1)
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Large or Smallmouth Bass - 18" Minimum Length Limit
- Striped, White, or Hybrid - 10 Creel/3 Fish 17" or Longer
- Striped Bass (16) Daily (17)

Levings Lake, Rockford Park District  
Winnebago County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site  
Coles County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Lincoln Park North Lagoon, Chicago Park District  
Cook County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Lincoln Park South Lagoon, Chicago Park District  
Cook County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Lincoln Trail Lake, Lincoln Trail State Park  
Clark County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 12-15" Slot Length Limit (3)

Little Black Slough, Little Black Slough State Natural Area  
Johnson County

- All Fish - 2 Pole and Line Fishing Only (1)
- All Fish - No Seines

Little Sister Lake, County of Fulton  
Fulton County



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

All Fish  
 Bluegill or Redear Sunfish (14)  
 Channel Catfish  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)  
 - 2 Pole and Line Fishing Only (1)  
 - 25 Fish Daily Creel Limit  
 - 6 Fish Daily Creel Limit  
 - 12-15" Slot Length Limit (3)  
 - 3 Fish Daily Creel Limit

Little Vermillion River Basin - Special Management Zone (river mainstem and tributaries)  
 LaSalle County  
 Large or Smallmouth Bass  
 - Catch and Release Only Season  
 No Harvest May 1 through  
 June 15 (9)

Lou Yeager Lake, City of Litchfield  
 Montgomery County  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)  
 - 15" minimum Length Limit  
 - 3 Fish Daily Creel Limit

Loami Reservoir, City of Loami  
 Sangamon County  
 All Fish  
 Channel Catfish  
 Large or Smallmouth Bass  
 - 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit

Lower Cache River, Lower Cache River State Natural Area  
 Pulaski/Johnson Counties  
 All Fish  
 All Fish  
 - 2 Pole and Line Fishing Only (1)  
 - No Seines

Lyerla Lake, Union County Conservation Area  
 Union County  
 All Fish  
 Channel Catfish  
 - 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit

Mackinaw Ponds 1, 2, and 3, Mackinaw State Fish and Wildlife Area  
 Tazewell County  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)  
 - 15" Minimum Length Limit  
 - 1 Fish Daily Creel Limit

Macon County Conservation District  
 Ponds, Macon County Conservation District  
 Macon County  
 All Fish  
 Channel Catfish  
 - 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit

Maple Lake, Cook County Forest Preserve District  
 Cook County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

All Fish  
 Channel Catfish  
 Large or Smallmouth Bass  
 - 2 Pole and Line Fishing Only (1)(36)  
 - 6 Fish Daily Creel Limit  
 - 14" Minimum Length Limit

Marissa City Lake, City of Marissa  
 St. Clair County  
 Channel Catfish  
 - 6 Fish Daily Creel Limit

Marquette Park Lagoon, Chicago Park District  
 Cook County  
 All Fish  
 Channel Catfish  
 - 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit

Marshall County Conservation Area (Fishing Ditch), Marshall County Conservation Area (33)  
 Marshall County  
 All Fish  
 - 2 Pole and Line Fishing Only (1)

Marshall County Conservation Area - Sparland Unit (19)  
 Marshall County

Mascoutah Reservoir, City of Mascoutah  
 St. Clair County  
 All Fish  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)  
 - 2 Pole and Line Fishing Only (1)  
 - 15" Minimum Length Limit  
 - 3 Fish Daily Creel Limit

Massac County Fairgrounds Pond, State of Illinois  
 Massac County  
 Trout  
 Trout  
 - Fall Closed Season (10)  
 - Spring Closed Season (11)

Matthiessen Lake, Matthiessen State Park  
 LaSalle County  
 All Fish  
 Bluegill or Redear Sunfish (14)  
 Channel Catfish  
 Large or Smallmouth Bass  
 - 2 Pole and Line Fishing Only (1)  
 - 10 Fish Daily Creel Limit  
 - 6 Fish Daily Creel Limit  
 - 14" Minimum Length Limit

Mattoon Lake, City of Mattoon  
 Coles County  
 All Fish  
 Large or Smallmouth Bass  
 - 2 Pole and Line Fishing Only (1)  
 - 14" Minimum Length Limit

Mautino Fish and Wildlife Area, Mautino Fish and Wildlife Area  
 Bureau County



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- All Fish - 2 Pole and Line Fishing Only (1) (34)
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Mauvaise Terre/Morgan Lake, City of Jacksonville  
Morgan County
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Mazonia Lakes & Ponds, Mazonia State Fish and Wildlife Area (33)  
Grundy/Kankakee Counties
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- White, Black or Hybrid - 10 Fish Daily Creel Limit
- Crappie (15)
- McCullom Lake, City of McHenry  
McHenry County
- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- McKinley Park Lagoon, Chicago Park District  
Cook County
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- McLeansboro City Lakes, City of McLeansboro  
Hamilton County
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- McMaster Lake and Small Ponds, Snakeden Hollow State Fish and Wildlife Area  
Knox County
- (All use other than waterfowl hunting prohibited from October 1 through the end of the Canada goose season)
- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Pure Muskellunge - 42" Minimum Length Limit
- Walleye, Sauger, or Hybrid - 3 Fish Daily Creel Limit
- Walleye (14) - 5 Fish Daily Creel Limit
- White, Black, or Hybrid
- Crappie (15)
- Meredosia Lake - Cass County Portion Only (meandered waters only) (33)  
Cass County
- Meredosia Lake - Cass County Portion  
Cass County
- (Meandered waters only) (All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes)
- Mermet State Lake, Mermet Lake Conservation Area (33)  
Massac County
- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Bluegill or Redear Sunfish - 8" Minimum Length Limit
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- White, Black, or Hybrid - 25 Fish Daily Creel Limit
- Crappie (15)
- Middle Fork Forest Preserve Ponds, Champaign County Forest Preserve  
Champaign County
- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Middle Fork of the Vermillion River, Kickapoo State Park and Middle Fork Fish and Wildlife Area  
Vermillion County
- All Fish - 2 Pole and Line Fishing Only (1)
- Middle Fork of the Vermillion River Basin - Special Management Zone (river mainstem and tributaries)  
Vermillion/Champaign/Ford Counties
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Large or Smallmouth Bass - Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

## Mill Creek Lake, Clark County Park District

- Clark County
- All Fish
  - Channel Catfish
  - Large or Smallmouth Bass
  - Pure Muskellunge
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 12-15" Slot Length Limit (3)
  - 42" Minimum Length Limit

## Mill Pond, Pearl City Park District

- Stephenson County
- All Fish
  - Large or Smallmouth Bass
  - Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
  - 14" Minimum Length Limit
  - 1 Fish Daily Creel Limit

## Mill Race Ponds, Belvidere Park District

- Boone County
- Trout
- Spring Closed Season (11)

## Miller Park Lake, City of Bloomington

- McLean County
- All Fish
  - Channel Catfish
  - Trout
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - Spring Closed Season (11)

## Mineral Springs Park Lagoon, City of Pekin

- Tazewell County
- All Fish
  - Channel Catfish
  - Trout
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - Fall Closed Season (10)

## Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26 (19)

## Multiple Counties

## Mississippi River (between IL &amp; IA), State of Illinois

- Multiple Counties
- Large or Smallmouth Bass
  - Northern Pike
  - Walleye and Sauger (14)
  - Walleye
- 14" Minimum Length Limit
  - 5 Fish Daily Creel Limit
  - 10 Fish Daily Creel Limit (24)
  - 15" Minimum Length Limit

## Mississippi River (between IL &amp; MO), State of Illinois

## Multiple Counties

- (Boating prohibited on refuge area (Ellis Bay) immediately upstream of Melvin Price Lock and Dam 26 overflow dike from October 15-April 15)
- (Any tagged sport fishing device may not be left unattended for more than 24 hours or must be completely removed)

All Nongame Species Combined  
(Excludes endangered  
and threatened species)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

## and the following game

species: Crappie,  
Channel/Blue/Flathead  
Catfish, Rock Bass,  
Warmouth, White/Yellow/  
Striped/Hybrid Striped  
Bass, Trout, Large-  
mouth/Smallmouth/  
Spotted Bass,  
Muskellunge, Northern  
Pike, Chain/Grass  
Pickeral, Walleye,  
Sauger, Paddlefish)

- Channel or Blue Catfish (14)
  - Flathead Catfish
  - Largemouth, Smallmouth,  
or Spotted Bass
  - Northern Pike
  - Striped, White, or Hybrid  
Striped Bass (16)
- 100 Total Fish Daily Creel Limit
  - 20 Fish Daily Creel Limit
  - 10 Fish Daily Creel Limit
  - 12" Minimum Length Limit

- 1 Fish Daily Creel Limit
- 30 Fish Daily Creel Limit -  
statewide regulation limiting  
daily creel to 3 fish 17"  
or longer is not in effect on  
the Mississippi River between  
Illinois and Missouri
- 8 Fish Daily Creel Limit
- 30 Fish Daily Creel Limit

Walleye and Sauger (14)  
White, Black, or Hybrid  
Crappie (15)

## Monee Reservoir, Will County Forest Preserve District

## Will County

- All Fish
  - Channel Catfish
  - Large or Smallmouth Bass (14)
  - Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 1 Fish Daily Creel Limit
  - 15" Minimum Length Limit

Montrose Lake, City of Montrose  
Cumberland County

- All Fish
  - Channel Catfish
  - Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit

Mt. Olive City Lakes, City of Mt. Olive  
Macoupin County

- All Fish
  - Channel Catfish
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit

Mt. Olive (Old) Lake, City of Mt. Olive  
Macoupin County



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Mt. Pulaski Park District Lake, Mt. Pulaski Park District  
 Logan County  
 All Fish - 2 Pole and Line Fishing Only (1)
- Mt. Sterling Lake, City of Mt. Sterling  
 Brown County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Mt. Vernon City Park Lake, City of Mt. Vernon  
 Jefferson County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm  
 Jefferson County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Trout - Fall Closed Season (10)  
 Trout - Spring Closed Season (11)
- Mundelein Park District Ponds, City of Mundelein  
 Lake County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Nashville City Lake, City of Nashville  
 Washington County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 18" Minimum Length Limit
- Newton Lake, Newton Lake State Fish and Wildlife Area (41)  
 Jasper County  
 (The cold water arm of Newton Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Large or Smallmouth Bass (5) - 18" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
 White, Black, or Hybrid - 10 Fish Daily Creel Limit  
 Crappie (15)  
 White, Black, or Hybrid - 10" Minimum Length Limit  
 Crappie
- Norris City Reservoir, City of Norris City  
 White County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit
- North Marcum Campground Pond, U.S. Army Corps of Engineers  
 Franklin County  
 Recreational Use Restrictions - Fishing permitted only by persons under 16 years of age  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Oakford Conservation Area (Menard County) (19)  
 Menard County
- Oakland City Lake, City Lake, City of Oakland  
 Coles County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit
- Oblong Lake, City of Oblong  
 Crawford County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Ohio River (between Illinois & Kentucky), State of Illinois  
 Multiple Counties (19)  
 Large or Smallmouth Bass - 12" Minimum Length Limit  
 Northern Pike - No Length or Creel Limit  
 Muskie or Tiger Muskie - 2 Fish Daily Creel Limit  
 Muskie or Tiger Muskie - 30" Minimum Length Limit  
 Walleye, Sauger, or Hybrid - 10 Fish Daily Creel Limit  
 Walleye (14)  
 White, Black, or Hybrid - 30 Fish Daily Creel Limit  
 Crappie (15) - 30 Creel/4 Fish 15" or Longer  
 Striped, White, Yellow or Hybrid

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

## Striped Bass

Daily (32)

Ohio River-Smithland Pool Tributary Streams (in Pope/Hardin/Gallatin Counties, excluding Wabash River and Saline River Above Route 1 Bridge) (19)  
Multiple Counties

Large and Smallmouth Bass - 12" Minimum Length Limit

Olson Lake, Rock Cut State Park

Winnebago County

All Fish

Channel Catfish

Large or Smallmouth Bass - 6 Fish Daily Creel Limit

Large or Smallmouth Bass - 14" Minimum Length Limit

Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Omaha City Reservoir, City of Omaha

Gallatin County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

Otter Lake, Otter Lake Water Commission

Macoupin County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

- 10 Creel/3 Fish 17" or Longer Daily (17)

- 48" Minimum Length Limit (40)

Palmyra-Modesto Water Commission Lake, Palmyra/Modesto Water Commission

Macoupin County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

Pana Lake, City of Pana

Shelby and Christian Counties

All Fish

Bluegill or Redear Sunfish

- 2 Pole and Line Fishing Only (1)

- 8" Minimum Length Limit

- 10 Fish Daily Creel Limit

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

Large or Smallmouth Bass

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

Paris East & West Lakes, City of Paris

Edgar County

All Fish

Channel Catfish

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

## Large or Smallmouth Bass

- 14" Minimum Length Limit

Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area  
St. Clair County

All Fish

- 2 Pole and Line Fishing Only (1)

(34)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

- 25 Fish Daily Creel Limit

Crappie (15)

White, Black, or Hybrid

White, Black, or Hybrid Crappie

- 9" Minimum Length Limit

Pekin Lake (19)

Tazewell County

Perry Farm Pond, Bourbonnais Park District

Kankakee County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

Piasa (19)

Madison/Jersey Counties

Pierce Lake, Rock Cut State Park

Winnebago County

All Fish

- 2 Pole and Line Fishing Only

(1)(7)

Bluegill or Redear Sunfish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass (14)

Large or Smallmouth Bass

Pure Muskellunge

White, Black, or Hybrid

Crappie (15)

- 8" Minimum Length Limit

- 10 Fish Daily Creel Limit

- 6 Fish Daily Creel Limit

- 1 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 48" Minimum Length Limit (40)

- 25 Fish Daily Creel Limit

Pike County Conservation Area (19)

Pike County

Pickneyville Lake, City of Pickneyville

Perry County

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 18" Minimum Length Limit

- 1 Fish Daily Creel Limit

Pine Creek

Ogle County

Trout

- Spring Closed Season (11)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Pine Creek (within the boundaries of White Pines Forest State Park)  
Ogle County  
All Fish  
Trout  
- 2 Pole and Line Fishing Only (1)  
- Spring Closed Season (11)
- Pine Lake, Village of University Park  
Will County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Piscasaw Creek  
McHenry County  
Trout  
Trout  
- 9" Minimum Length Limit  
- Spring Closed Season (11)
- Pittsfield City Lake, City of Pittsfield  
Pike County  
All Fish  
Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
White, Black, or Hybrid  
Crappie  
- 2 Pole and Line Fishing Only (1)(7)  
- 14" Minimum Length Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 9" Minimum Length Limit
- Pocahontas Park Pond, City of Pocahontas  
Bond County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Powerton Lake, Powerton Lake Fish and Wildlife Area (39)  
Tazewell County  
(Powerton Lake shall be closed to boat traffic except for legal waterfowl hunters from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during the regular Canada goose and duck season)  
All Fish  
Channel or Blue Catfish (14)  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Striped, White, or Hybrid  
Striped Bass (16)  
Walleye, Sauger, or Hybrid  
Walleye (14)  
Walleye, Sauger, or Hybrid  
Walleye  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 18" Minimum Length Limit  
- 1 Fish Daily Creel Limit  
- 10 Creel/3 Fish 17" or Longer Daily (17)  
- 3 Fish Daily Creel Limit  
- 18" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Prospect Pond, City of Moline  
Rock Island County  
Trout  
- Fall Closed Season (10)
- Pyramid State Park Lakes & Ponds, Pyramid State Park  
Perry County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Ramsey Lake, Ramsey Lake State Park  
Fayette County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie  
- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 10 Fish Daily Creel Limit  
- 9" Minimum Length Limit
- Ramsey Lake State Park Ponds, Ramsey Lake State Park  
Fayette County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit
- Randolph County Lake, Randolph County Conservation Area  
Randolph County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- Fall Closed Season (10)
- Red Hills Lake, Red Hills State Park  
Lawrence County  
All Fish  
Bluegill or Redear Sunfish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 8" Minimum Length Limit  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit
- Red's Landing Wildlife Management Area (19)  
Calhoun County  
(Walk-in area closed to trespassing 7 days prior to duck season)  
Redwing Slough/Deer Lake (33)  
Lake County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Rend Lake, U.S. Army Corps of Engineers (22) (33)  
Franklin and Jefferson Counties  
Channel Catfish  
- All jugs must be attended at all times while fishing (2)  
- 14" Minimum Length Limit  
Large or Smallmouth Bass  
Striped, White, Yellow, or Hybrid  
Striped Bass (8)  
- 20 Creel/3 Fish 17" or Longer Daily
- Rend Lake Project Ponds - Jackie Branch Pond, Ina N. Borrow Pit, Green Heron Pond, North Marcum Campground Pond, U.S. Army Corps of Engineers  
Franklin and Jefferson Counties  
(See kids only fishing regulations for North Marcum Campground Pond)  
All Fish  
- 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish (14)  
- 10 Fish Daily Creel Limit  
Channel Catfish  
- 6 Fish Daily Creel Limit  
Large or Smallmouth Bass  
- 14" Minimum Length Limit  
Large or Smallmouth Bass (14)  
- 1 Fish Daily Creel Limit
- Rice Lake Fish and Wildlife Area (33)  
Fulton County  
Ridge Lake, Fox Ridge State Park  
Coles County  
(Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))  
All Fish  
- 2 Pole and Line Fishing Only (1)  
Channel Catfish  
- 14" Minimum Length Limit  
Large or Smallmouth Bass  
- 14" Minimum Length Limit
- Riis Park Lagoon, Chicago Park District  
Cook County  
All Fish  
- 2 Pole and Line Fishing Only (1)  
Channel Catfish  
- 6 Fish Daily Creel Limit
- Riprap Landing (19)  
Calhoun County  
Riverside Park Lagoon, Moline Park District  
Rock Island County  
All Fish  
- 2 Pole and Line Fishing Only (1)  
Channel Catfish  
- 6 Fish Daily Creel Limit
- Rock Creek, State of Illinois  
Kankakee County  
Trout  
- Spring Closed Season (11)
- Rock River Basin - Special Management Zone (Fordam Dam to Oregon Dam, including tributaries)  
Ogle/Winnebago Counties

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Large or Smallmouth Bass  
- 12" - 16" Protected Slot Length Limit (no possession) (37)  
Large or Smallmouth Bass (14)  
- 1 Fish over 16" and 2 Fish under 12" Daily Creel Limit
- Rock River Basin - Special Management Zone (from Oregon Dam to State Route 2 Highway Bridge at Grand Detour, including all tributaries)  
Ogle County  
Large or Smallmouth Bass  
- Catch and Release Fishing Only (9)
- Rock Springs Bike Trail Pond, Macon County Conservation District  
Macon County  
All Fish  
- 2 Pole and Line Fishing Only (1)  
Channel Catfish  
- 6 Fish Daily Creel Limit  
Large or Smallmouth Bass  
- 15" Minimum Length Limit  
Large or Smallmouth Bass (14)  
- 1 Fish Daily Creel Limit
- Rock Springs Pond, Macon County Conservation District  
Macon County  
All Fish  
- 2 Pole and Line Fishing Only (1)  
Channel Catfish  
- 6 Fish Daily Creel Limit  
Large or Smallmouth Bass  
- 15" Minimum Length Limit  
Large or Smallmouth Bass (14)  
- 1 Fish Daily Creel Limit  
Trout  
- Spring Closed Season (11)
- Roodhouse Park Lake, City of Roodhouse  
Green County  
All Fish  
- 2 Pole and Line Fishing Only (1)  
Channel Catfish  
- 6 Fish Daily Creel Limit
- Route 154 Day Use Pond, State of Illinois  
Randolph County  
All Fish  
- 2 Pole and Line Fishing Only (1)  
Channel Catfish  
- 6 Fish Daily Creel Limit  
Large or Smallmouth Bass  
- 15" Minimum Length Limit  
Large or Smallmouth Bass (14)  
- 1 Fish Daily Creel Limit
- Sahara Woods Fish and Wildlife Area, State of Illinois  
Saline County  
All Fish  
- 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
- 15 Fish Daily Creel Limit  
Large or Smallmouth Bass  
- 6 Fish Daily Creel Limit  
Large or Smallmouth Bass (14)  
- 18" Minimum Length Limit  
White, Black, or Hybrid  
Crappie (15)
- St. Elmo South Lake, City of St. Elmo



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Fayette County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit
- Salem Reservoir, City of Salem  
Marion County  
All Fish - 2 Pole and Line Fishing Only (1)(5)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit
- Sam Dale Lake, Sam Dale Conservation Area  
Wayne County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit
- Sam Dale Trout Pond, Sam Dale Conservation Area  
Wayne County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Trout - Fall Closed Season (10)  
Trout - Spring Closed Season (11)
- Sam Parr Lake, Sam Parr State Park  
Jasper County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit
- Sand Lake, Illinois Beach State Park  
Lake County  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
Trout - Fall Closed Season (10)  
Trout - Spring Closed Season (11)
- Sandy Creek Basin - Special Management Zone (river mainstem and tributaries)  
Marshall County  
Large or Smallmouth Bass - Catch and Release Only Season - No Harvest May 1 through June 15 (9)
- Sanganois Conservation Area (33)(42)  
Mason/Cass/Schuylar/Menard Counties

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Sangchris Lake, Sangchris Lake State Park  
Christian/Sangamon Counties  
(Posted waterfowl refuge closed to all boat traffic during waterfowl season. Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the Canada goose season that follows the duck season)  
All Fish - 2 Pole and Line Fishing Only (1)  
(34)  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
White, Black, or Hybrid - 10 Fish Daily Creel Limit  
Crappie (15) - 9" Minimum Length Limit  
White, Black, or Hybrid - 9" Minimum Length Limit  
Crappie
- Sangchris Lake Park Ponds, Sangchris Lake State Park  
Sangamon County  
All Fish - 2 Pole and Line Fishing Only (1)
- Schiller Pond, Cook County Forest Preserve District  
Cook County  
All Fish - 2 Pole and Line Fishing Only (1)  
(36)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit
- Schuyler-Rush Lake, City of Rushville  
Schuyler County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
White, Black, or Hybrid - 9" Minimum Length Limit  
Crappie
- Senior Citizen's Pond, Kankakee River State Park  
Kankakee County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit
- Shabbona Lake, Shabbona Lake State Park  
DeKalb County  
All Fish - 2 Pole and Line Fishing Only (1)(7)  
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- Pure Muskellunge  
 Striped, White, or Hybrid  
 Striped Bass  
 Striped, White, or Hybrid  
 Striped Bass (16)  
 Walleye, Sauger, or Hybrid  
 Walleye  
 White, Black, or Hybrid  
 Crappie (15)
- 48" Minimum Length Limit (40)  
 - 17" Minimum Length Limit  
 - 3 Fish Daily Creel Limit  
 - 18" Minimum Length Limit  
 - 10 Fish Daily Creel Limit
- Shawnee National Forest Lakes & Ponds less than 10 acres, U.S. Forest Service  
 Multiple Counties  
 All Fish  
 Channel Catfish  
 Largemouth, Smallmouth or  
 Spotted Bass
- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit
- Shawnee National Forest - Bay Creek Lake #5 and #8 (Sugar Creek Lake), U.S. Forest Service  
 Pope County  
 All Fish  
 Channel Catfish  
 Largemouth, Smallmouth and  
 Spotted Bass
- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit
- Shawnee National Forest - Dutchman Lake, U.S. Forest Service  
 Johnson County  
 All Fish  
 Channel Catfish  
 Largemouth, Smallmouth or  
 Spotted Bass
- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit
- Shawnee National Forest - Lake Glendale, U.S. Forest Service  
 Pope County  
 All Fish  
 Channel Catfish  
 Largemouth, Smallmouth or  
 Spotted Bass
- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit
- Shawnee National Forest - Little Cache #1, U.S. Forest Service  
 Johnson County  
 All Fish  
 Channel Catfish  
 Largemouth, Smallmouth or  
 Spotted Bass
- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit
- Shawnee National Forest - Little Cedar Lake, U.S. Forest Service  
 Jackson County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- All Fish  
 Largemouth, Smallmouth or  
 Channel Catfish  
 Spotted Bass
- 2 Pole and Line Fishing Only (1)  
 - 15" Minimum Length Limit  
 - 6 Fish Daily Creel Limit
- Shawnee National Forest - One Horse Gap Lake, U.S. Forest Service  
 Pope County  
 All Fish  
 Channel Catfish  
 Largemouth, Smallmouth or  
 Spotted Bass
- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit
- Shawnee National Forest - Pounds Hollow Lake, U.S. Forest Service  
 Gallatin County  
 All Fish  
 Channel Catfish  
 Largemouth, Smallmouth or  
 Spotted Bass
- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit
- Shawnee National Forest - Tecumseh Lake, U.S. Forest Service  
 Hardin County  
 All Fish  
 Channel Catfish  
 Largemouth, Smallmouth or  
 Spotted Bass
- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit
- Shawnee National Forest - Turkey Bayou, U.S. Forest Service  
 Jackson County  
 All Fish  
 Channel Catfish  
 Largemouth, Smallmouth or  
 Spotted Bass
- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit
- Shawnee National Forest - Whoopie Cat Lake, U.S. Forest Service  
 Hardin County  
 All Fish  
 Channel Catfish  
 Largemouth, Smallmouth or  
 Spotted Bass
- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit
- Sherman Park Lagoon, Chicago Park District  
 Cook County  
 All Fish  
 Channel Catfish
- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit
- Siloam Springs Lake, Siloam Springs State Park  
 Adams County  
 All Fish
- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit



DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Sparta City Lakes, City of Sparta

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Sparta "T" Lake, City of Sparta

- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 15 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 9" Minimum Length Limit
- 10 Fish Daily Creel Limit

Spencer Lake, Boone County Conservation District

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Spring Lake, City of Macomb

- 2 Pole and Line Fishing Only (1) (5)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Spring Lakes (North & South), Spring Lake Conservation Area (33)

- 2 Pole and Line Fishing Only (1) (7)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit
- 48" Minimum Length Limit (40)
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- Fall Closed Season (10)
- Spring Closed Season (11)

Siloam Springs State Park Buckhorn Unit Waters, Siloam Springs State Park

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 8" Minimum Length Limit
- 10" Fish Daily Creel Limit
- 18" Minimum Length Limit
- 1 Fish Daily Creel Limit

Silver Lake, DuPage County Forest Preserve District

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Spring Closed Season (11)

Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Fish and Wildlife Area

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Skokie Lagoons, Cook County Forest Preserve District

- 2 Pole and Line Fishing Only (1) (36)
- 14" Minimum Length Limit
- 18" Minimum Length Limit

Small Pit Pond, Boone County Conservation District

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Snakeden Hollow State Fish and Wildlife Area - McMaster Lake and Small Ponds, State of Illinois

Knox County (see McMaster Lake and Small Ponds)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

## Crappie

Spring Pond, Flagg-Rochelle Park District  
Ogle County

- All Fish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Starved Rock State Park (19)  
LaSalle County

Staunton City Lake, City of Staunton  
Macoupin County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Stephen A. Forbes State Park (19)  
Marion County

Sterling Lake, Lake County Forest Preserve District  
Lake County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass (14)
- Large or Smallmouth Bass
- Pure Muskellunge
- 2 Pole & Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 48" Minimum Length Limit

Storm Lake, DeKalb Park District  
DeKalb County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Stump Lake Wildlife Management Area (33)  
Jersey County

Tampier Lake, Cook County Forest Preserve District  
Cook County

- All Fish
- Bluegill or Redear Sunfish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Walleye, Sauger, or Hybrid Walleye
- 2 Pole and Line Fishing Only (36)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 18" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Taylorville Park District Pond, Taylorville Park District  
Christian County

- All Fish
- 2 Pole and Line Fishing Only (1)

Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area  
Hamilton/Jefferson Counties (19)

(Areas designated as refuge are closed to all access during the Canada goose season)

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Tilton City Lake, City of Tilton

Toledo Reservoir, City of Toledo  
Cumberland County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Turkey Bluff Ponds, State of Illinois Randolph County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Turner Lake, Chain O'Lakes State Park  
Lake County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass (14)
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit

Tuscola City Lake, City of Tuscola  
Douglas County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Union County Conservation Area  
Union County

(All fishing and boat traffic prohibited October 15-March 1)

Valley Lake, Wildwood Park District  
Lake County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Valmeyer Lake, City of Valmeyer  
Monroe County

- All Fish
  - 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
  - 3 Fish Daily Creel Limit
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)

Vanhorn Woods Pond, Plainfield Park District  
Will County

- All Fish
  - 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
  - 1 Fish Daily Creel Limit
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)

## Vermilion County

- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Vernor Lake, City of Olney  
Richland County

- All Fish
  - 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass

Villa Grove East Lake, City of Villa Grove  
Douglas County

- All Fish
  - 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass

Villa Grove West Lake, City of Villa Grove  
Douglas County

- All Fish
  - 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
  - Fall Closed Season (10)
- Channel Catfish
- Large or Smallmouth Bass
- Trout

Virginia City Reservoir, City of Virginia  
Cass County

- All Fish
  - 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass

Waddams Creek  
Stephenson County

- Spring Closed Season (11)

## Walnut Point Lake, Walnut Point State Fish and Wildlife Area

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

## Douglas County

- All Fish
  - 2 Pole and Line Fishing Only (1)
  - 8" Minimum Length Limit
  - 10 Fish Daily Creel Limit
  - 6 Fish Daily Creel Limit
  - 12-15" Slot Length Limit (3)
- Bluegill or Redear Sunfish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass

Walton Park Lake, City of Litchfield  
Montgomery County

- All Fish
  - 2 Pole and Line Fishing Only (1)
  - 8" Minimum Length Limit
  - 10 Fish Daily Creel Limit
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
  - 3 Fish Daily Creel Limit
- Bluegill or Redear Sunfish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)

Wampum Lake, Cook County Forest Preserve District  
Cook County

- All Fish
  - 2 Pole and Line Fishing Only (1)(36)
  - Catch and Release Only (9)
  - 14" Minimum Length Limit
- Bluegill or Redear Sunfish
- Large or Smallmouth Bass

Washington County Lake, Washington County Conservation Area  
Washington County

- All Fish
  - 2 Pole and Line Fishing Only (1)(5)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
  - 17" Minimum Length Limit
  - 3 Fish Daily Creel Limit
- Channel Catfish
- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)

Washington Park Lagoon, Chicago Park District  
Cook County

- All Fish
  - 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
- Channel Catfish

Washington Park Pond, Springfield Park District  
Sangamon County

- All Fish
  - 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - Fall Closed Season (10)
  - Spring Closed Season (11)
- Channel Catfish
- Trout
- Trout

Waverly Lake, City of Waverly  
Morgan County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

All Fish  
Channel Catfish  
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit

Weinberg-King Pond, Weinberg-King State Park  
Schuyler County

All Fish  
Channel Catfish

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Weldon Springs Lake, Weldon Springs State Park  
DeWitt County

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit

West Frankfort New City Lake, City of West Frankfort  
Franklin County

All Fish  
Channel Catfish

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

West Frankfort Old City Lake, City of West Frankfort  
Franklin County

All Fish  
Channel Catfish

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

West Salem Reservoir, City of West Salem  
Edwards County

All Fish  
Channel Catfish  
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

White Hall City Lake, City of White Hall  
Greene County

All Fish  
Channel Catfish

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

White Oaks Lake, City of Bloomington  
McLean County

All Fish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit

Wilderness Pond, Fox Ridge State Park  
Coles County  
(Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))

All Fish  
Bluegill or Redear Sunfish (14)

- 2 Pole and Line Fishing Only (1)  
- 5 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

- 6 Fish Daily Creel Limit  
- 18" Minimum Length Limit  
- 1 Fish Daily Creel Limit

William W. Powers Conservation Area (33)  
Cook County

Willow Lake, Peabody River King State Conservation Area  
St. Clair County

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
White, Black, or Hybrid  
Crappie  
White, Black, or Hybrid  
Crappie  
Trout

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 25 Fish Daily Creel Limit  
- 9" Minimum Length Limit  
- Fall Closed Season (10)

Wolf Lake, William W. Powers Conservation Area (33)  
Cook County

All Fish  
Channel Catfish  
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

Woodford Co. Cons. Area (Fishing Ditch), Woodford County (33)  
Conservation Area  
Woodford County

All Fish

- 2 Pole and Line Fishing Only (1)

Woodlawn Pond, Frankfort Square Park District  
Will County

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit

Wyman Lake, City of Sullivan  
Moultrie County

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Trout

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit  
- Spring Closed Season (11)

Yellow Creek  
Stephenson County  
Trout

- Spring Closed Season (11)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Pretreatment Programs
- 2) Code citation: 35 Ill. Adm. Code 310
- 3) Section Number: 310.107  
Proposed Action:  
Amend
- 4) Statutory authority: 415 ILCS 5/7.2, 17, 17.5, and 27.

5) A complete description of the subjects and issues involved: A more detailed description is contained in the Board's opinion and order of May 17, 2001, proposing amendments in docket R01-25 for public comment, which opinion and order is available from the address below. As is explained in that opinion, the Board will receive public comment on the proposed amendments for 45 days from the date they appear in the Illinois Register before proceeding to adopt amendments based on this proposal.

This proceeding would update the Illinois wastewater pretreatment regulations based on the mandates of the federal Water Pollution Control Act (FWPCA), 33 U.S.C. Sections 1317(b), (c), (d), 1342(b)(9) (1996). The proposed rules are "identical-in-substance" to rules adopted by the United States Environmental Protection Agency (USEPA) that appeared in the Federal Register during a single update period. The docket and time period that is involved in this proceeding is the following:

R01-25

Federal wastewater pretreatment regulations adopted by the United States Environmental Protection Agency (USEPA) that occurred during the period June 1, 2000, through December 31, 2000.

Docket R01-25 amends rules in Parts 307 and 310 only.

The following table briefly summarizes the federal actions in the update period:

August 14, 2000  
(65 Fed. Reg. 49666)

The USEPA adopted wastewater effluent limitation guidelines, pretreatment standards, and new source performance standards for the transportation equipment cleaning point source category. Part 442 was added to 40 CFR chapter I.

December 22, 2000  
(65 Fed. Reg. 81242)

The USEPA adopted wastewater effluent limitation guidelines, pretreatment standards, and new source performance standards for the centralized waste treatment point source category. Part 437 was added to 40 CFR

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

## chapter I.

Section 17.5 of the Environmental Protection Act provides that Section 5-35 of the Illinois Administrative Procedure Act (IAPA) does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the IAPA, it is not subject to first-notice or to second-notice review by JCAR.

6) Will these proposed amendments replace emergency amendments currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporations by reference? Yes. Section 310.107 is the centralized listing of all documents incorporated by reference for the purposes of part 310. The existing rules include a number of incorporations by reference. The present amendments include a routine periodic update to the version of some of the federal documents incorporated by reference. Finally, the present amendments include new documents incorporated by reference.

9) Are there any other amendments pending on this Part? No.

10) Statement of statewide policy objectives: This rulemaking imposes mandates on units of local government to the extent they may own or operate wastewater pretreatment systems. These mandates are, however, identical-in-substance to mandates imposed by federal law.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R01-25 and be addressed to:

Ms. Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center, Suite 11-500  
100 W. Randolph St.  
Chicago, IL 60601

Address all questions to Steven C. Langhoff, at (217)782-2615.

Request copies of the Board's opinion and order in Docket R01-25 from Patricia Jones, at (312)814-3620. Additionally, copies of the Board's opinion and order may be downloaded from the Board's Web site at <http://www.ipcb.state.il.us>.

12) Initial regulatory flexibility analysis:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking affects those small businesses, small municipalities, and not-for-profit corporations that own or operate wastewater pretreatment systems.

B) Reporting, bookkeeping or other procedures required for compliance: None.

C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney.

13) Regulatory Agenda on which this rulemaking was summarized: January 2001

The full text of the proposed amendments begins on the next page:



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION  
 SUBTITLE C: WATER POLLUTION  
 CHAPTER I: POLLUTION CONTROL BOARD

## PART 310

## PRETREATMENT PROGRAMS

## SUBPART A: GENERAL PROVISIONS

Section  
 310.101  
 310.102  
 310.103  
 310.104  
 310.105  
 310.107  
 310.110  
 310.111

Applicability  
 Objectives  
 Federal Law  
 State Law  
 Confidentiality  
 Incorporations by Reference  
 Definitions  
 New Source

## SUBPART B: PRETREATMENT STANDARDS

Section  
 310.201  
 310.202  
 310.210  
 310.211  
 310.220  
 310.221  
 310.222  
 310.230  
 310.232  
 310.233

General Prohibitions  
 Specific Prohibitions  
 Specific Limits Developed by POTW  
 Local Limits  
 Categorical Standards  
 Category Determination Request  
 Deadline for Compliance with Categorical Standards  
 Concentration and Mass Limits  
 Dilution  
 Combined Wastestream Formula

## SUBPART C: REMOVAL CREDITS

Section  
 310.301  
 310.302  
 310.303  
 310.310  
 310.311  
 310.312  
 310.320  
 310.330  
 310.340  
 310.341  
 310.343  
 310.350

Special Definitions  
 Authority  
 Conditions for Authorization to Grant Removal Credits  
 Calculation of Revised Discharge Limits  
 Demonstration of Consistent Removal  
 Provisional Credits  
 Compensation for Overflow  
 Exception to POTW Pretreatment Program  
 Application for Removal Credits Authorization  
 Agency Review  
 Assistance of POTW  
 Continuation of Authorization

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

310.351 Modification or Withdrawal of Removal Credits  
 SUBPART D: PRETREATMENT PERMITS

Section  
 310.400  
 310.401  
 310.402  
 310.403  
 310.410  
 310.411  
 310.412  
 310.413  
 310.414  
 310.415  
 310.420  
 310.421  
 310.430  
 310.431  
 310.432  
 310.441  
 310.442  
 310.443  
 310.444

Preamble  
 Pretreatment Permits  
 Time to Apply  
 Imminent Endangerment  
 Application  
 Certification of Capacity  
 Signatures  
 Site Visit  
 Completeness  
 Time Limits  
 Standard for Issuance  
 Final Action  
 Conditions  
 Duration of Permits  
 Schedules of Compliance  
 Effect of a Permit  
 Modification  
 Revocation  
 Appeal

## SUBPART E: POTW PRETREATMENT PROGRAMS

Section  
 310.501  
 310.502  
 310.503  
 310.504  
 310.505  
 310.510  
 310.521  
 310.522  
 310.524  
 310.531  
 310.532  
 310.533  
 310.541  
 310.542  
 310.543  
 310.544  
 310.545  
 310.546  
 310.547

Pretreatment Programs Required  
 Deadline for Program Approval  
 Incorporation of Approved Programs in Permits  
 Incorporation of Compliance Schedules in Permits  
 Reissuance or Modification of Permits  
 Pretreatment Program Requirements  
 Program Approval  
 Contents of Program Submission  
 Content of Removal Allowance Submission  
 Agency Action  
 Defective Submission  
 Water Quality Management  
 Deadline for Review  
 Public Notice and Hearing  
 Agency Decision  
 USEPA Objection  
 Notice of Decision  
 Public Access to Submission  
 Appeal

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

## SUBPART F: REPORTING REQUIREMENTS

Section	Definition of Control Authority
310.601	Baseline Report
310.602	Compliance Schedule
310.603	Report on Compliance with Deadline
310.604	Periodic Reports on Compliance
310.605	Notice of Potential Problems
310.606	Monitoring and Analysis
310.610	Requirements for Non-Categorical Standard Users
310.611	Annual POTW Reports
310.612	Notification of Changed Discharge
310.613	Compliance Schedule for POTW's
310.621	Signatory Requirements for Industrial User Reports
310.631	Signatory Requirements for POTW Reports
310.632	Fraud and False Statements
310.633	Recordkeeping Requirements
310.634	Notification of Discharge of Hazardous Waste
310.635	

## SUBPART G: FUNDAMENTALLY DIFFERENT FACTORS

Section	Definition of Requester
310.701	Purpose and Scope
310.702	Criteria
310.703	Fundamentally Different Factors
310.704	Factors which are Not Fundamentally Different
310.705	More Stringent State Law
310.706	Application Deadline
301.711	Contents of FDF Request
310.712	Deficient Requests
310.713	Public Notice
310.714	Agency Review of FDF Requests
310.721	USEPA Review of FDF Requests
310.722	

## SUBPART H: ADJUSTMENTS FOR POLLUTANTS IN INTAKE

Section	Net/Gross Calculation by USEPA
310.801	

## SUBPART I: UPSETS

Section	Definition
310.901	Effect of an Upset
310.902	Conditions Necessary for an Upset
310.903	Burden of Proof
310.904	Reviewability of Claims of Upset
310.905	

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

## 310.906 User Responsibility in Case of Upset

## SUBPART J: BYPASS

Section	Definition
310.910	Bypass Not Violating Applicable Pretreatment Standards or Requirements
310.911	Notice
310.912	Prohibition of Bypass
310.913	

## SUBPART K: MODIFICATION OF POTW PRETREATMENT PROGRAMS

Section	General
310.920	Substantial Modifications Defined
310.921	Approval Procedures for Substantial Modifications
310.922	Approval Procedures for Non-Substantial Modifications
310.923	Incorporation of Modifications into the Permit
310.924	

AUTHORITY: Implementing and authorized by Sections 7.2, 13, 13.3, and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 13.3 and 27].

SOURCE: Adopted in R86-44 at 12 Ill. Reg. 2502, effective January 13, 1988; amended in R88-18 at 13 Ill. Reg. 2463, effective January 31, 1989; amended in R89-3 at 13 Ill. Reg. 19243, effective November 27, 1989; amended in R89-12 at 14 Ill. Reg. 7608, effective May 8, 1990; amended in R91-5 at 16 Ill. Reg. 7346, effective April 27, 1992; amended in R95-22 at 20 Ill. Reg. 5533, effective April 1, 1996; amended in R96-12 at 20 Ill. Reg. 10671, effective July 24, 1996; amended in R97-7 at 21 Ill. Reg. 5163, effective April 10, 1997; amended in R98-23 at 22 Ill. Reg. 11465, effective June 22, 1998; amended in R99-17 at 23 Ill. Reg. 8412, effective July 12, 1999; amended in R00-7 at 24 Ill. Reg. 2372, effective January 26, 2000; amended in R01-5 at 24 Ill. Reg. 11633, effective July 24, 2000; amended in R01-5 at 25 Ill. Reg. 1322, effective January 11, 2001; amended in R01-25 at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL PROVISIONS

## Section 310.107 Incorporations by Reference

- a) The following publications are incorporated by reference:
- 1) The consent decree in NRDC v. Costle, 12 Environment Reporter Cases 1833 (D.C. Cir. August 16, 1978).
  - 2) Standard Industrial Classification Manual (1972), and 1977 Supplement, republished in 1983, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401.



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- b) The following provisions of the Code of Federal Regulations are incorporated by reference:

40 CFR 2.302 (1999)  
 40 CFR 25 (1999)  
 40 CFR 122, Appendix D, Tables II and III (1999)  
 40 CFR 128.140(b) (1977)  
 40 CFR 136 (1999), as amended at 64 Fed. Reg. 42552, August 4, 1999, 64 Fed. Reg. 73414, December 30, 1999, and 65 Fed. Reg. 3008, January 19, 2000, and 65 Fed. Reg. 81242, December 22, 2000  
 40 CFR 403 (1999)  
 40 CFR 403, Appendix D (1999)

- c) The following federal statutes are incorporated by reference:

1) Section 1001 of the Criminal Code (18 USC 1001) as of July 1, 1988  
 2) Clean Water Act (33 USC 1251 et seq.) as of July 1, 1988  
 3) Subtitles C and D of the Resource Conservation and Recovery Act (42 USC 6901 et seq.) as of July 1, 1988  
 d) This Part incorporates no future editions or amendments.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Sewer Discharge Criteria

2) Code citation: 35 Ill. Adm. Code 307

3) Section Number: Proposed Action:

307.4700	New Section
307.4701	New Section
307.4702	New Section
307.4703	New Section
307.4704	New Section
307.5200	New Section
307.5201	New Section
307.5202	New Section
307.5303	New Section
307.5204	New Section
307.5500	Amend
307.5501	Amend
307.5502	Amend

4) Statutory authority: 415 ILCS 5/7.2, 17, 17.5, and 27.

5) A complete description of the subjects and issues involved: A more detailed description is contained in the Board's opinion and order of May 17, 2001, proposing amendments in docket R01-25 for public comment, which opinion and order is available from the address below. As is explained in that opinion, the Board will receive public comment on the proposed amendments for 45 days from the date they appear in the Illinois Register before proceeding to adopt amendments based on this proposal.

This proceeding would update the Illinois wastewater pretreatment regulations based on the mandates of the federal Water Pollution Control Act (FWPCA), 33 U.S.C. Sections 1317(b), (c), (d), 1342(b)(9) (1996). The proposed rules are "identical-in-substance" to rules adopted by the United States Environmental Protection Agency (USEPA) that appeared in the Federal Register during a single update period. The docket and time period that is involved in this proceeding is the following:

R01-25 Federal wastewater pretreatment regulations adopted by the United States Environmental Protection Agency (USEPA) that occurred during the period June 1, 2000, through December 31, 2000.

Docket R01-25 amends rules in Parts 307 and 310 only.

The following table briefly summarizes the federal actions in the update period:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

August 14, 2000 (65 Fed. Reg. 49666) The USEPA adopted wastewater effluent limitation guidelines, pretreatment standards, and new source performance standards for the transportation equipment cleaning point source category. Part 442 was added to 40 CFR chapter I.

December 22, 2000 (65 Fed. Reg. 81242) The USEPA adopted wastewater effluent limitation guidelines, pretreatment standards, and new source performance standards for the centralized waste treatment point source category. Part 437 was added to 40 CFR chapter I.

Section 17.5 of the Environmental Protection Act provides that Section 5-35 of the Illinois Administrative Procedure Act (IAPA) does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the IAPA, it is not subject to first-notice or to second-notice review by JCAR.

6) Will these proposed amendments replace emergency amendments currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporations by reference? Yes. The existing rules include a number of incorporations by reference. The present amendments include a routine periodic update to the version of some of the federal documents incorporated by reference. Finally, the present amendments include new documents incorporated by reference.

9) Are there any other amendments pending on this part? No.

10) Statement of statewide policy objectives: This rulemaking imposes mandates on units of local government to the extent they may own or operate wastewater pretreatment systems. These mandates are, however, identical-in-substance to mandates imposed by federal law.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R01-25 and be addressed to:

Ms. Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center, Suite 11-500  
100 W. Randolph St.  
Chicago, IL 60601

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

Address all questions to Steven C. Langhoff, at (217)782-2615.

Request copies of the Board's opinion and order in Docket R01-25 from Patricia Jones, at (312)814-3620. Additionally, copies of the Board's opinion and order may be downloaded from the Board's Web site at <http://www.ipcb.state.il.us>.

12) Initial regulatory flexibility analysis:

A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking affects those small businesses, small municipalities, and not-for-profit corporations that own or operate wastewater pretreatment systems.

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney.

13) State reasons for this rulemaking if it was not included in either of the two most recent regulatory agendas. January 2001

The full text of the Proposed Amendments begins on the next page:



POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE C: WATER POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD

PART 307

SEWER DISCHARGE CRITERIA

SUBPART A: GENERAL PROVISIONS

Section  
307.101  
307.102  
307.103  
307.104  
307.105  
307.1001  
307.1002  
307.1003  
307.1005

Preamble (Renumbered)  
General Requirements (Renumbered)  
Mercury (Renumbered)  
Cyanide (STORET number 00720) (Renumbered)  
Pretreatment Requirements (Repealed)  
Preamble  
Definitions  
Test Procedures for Measurement  
Toxic Pollutants

SUBPART B: GENERAL AND SPECIFIC PRETREATMENT REQUIREMENTS

Section  
307.1101  
307.1102  
307.1103

General and Specific Requirements  
Mercury  
Cyanide

SUBPART F: DAIRY PRODUCTS PROCESSING

Section  
307.1501  
307.1502  
307.1503  
307.1504  
307.1505  
307.1506  
307.1507  
307.1508  
307.1509  
307.1510  
307.1511  
307.1512

Receiving Stations  
Fluid Products  
Cultured Products  
Butter  
Cottage Cheese and Cultured Cream Cheese  
Natural and Processed Cheese  
Fluid Mix for Ice Cream and other Frozen Desserts  
Ice Cream, Frozen Desserts, Novelties and Other Dairy Desserts  
Condensed Milk  
Dry Milk  
Condensed Whey  
Dry Whey

SUBPART G: GRAIN MILLS

Section  
307.1601  
307.1602

Corn Wet Milling  
Corn Dry Milling

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

307.1603 Normal Wheat Flour Milling  
307.1604 Bulgur Wheat Flour Milling  
307.1605 Normal Rice Milling  
307.1606 Parboiled Rice Milling  
307.1607 Animal Feed  
307.1608 Hot Cereal  
307.1609 Ready-to-eat Cereal  
307.1610 Wheat Starch and Gluten

SUBPART H: CANNED AND PRESERVED FRUITS AND VEGETABLES

Section  
307.1700  
307.1701  
307.1702  
307.1703  
307.1704  
307.1705  
307.1706  
307.1707  
307.1708

General Provisions  
Apple Juice  
Apple Products  
Citrus Products  
Frozen Potato Products  
Dehydrated Potato Products  
Canned and Preserved Fruits  
Canned and Preserved Vegetables  
Canned and Miscellaneous Specialties

SUBPART I: CANNED AND PRESERVED SEAFOOD

Section  
307.1801  
307.1815

Farm-raised Catfish  
Fish Meal Processing Subcategory

SUBPART J: SUGAR PROCESSING

Section  
307.1901  
307.1902  
307.1903

Beet Sugar Processing  
Crystalline Cane Sugar Refining  
Liquid Cane Sugar Refining

SUBPART K: TEXTILE MILLS

Section  
307.2000  
307.2001  
307.2002  
307.2003  
307.2004  
307.2005  
307.2006  
307.2007  
307.2008  
307.2009

General Provisions  
Wool Scouring  
Wool Finishing  
Low Water Use Processing  
Woven Fabric Finishing  
Knit Fabric Finishing  
Carpet Finishing  
Stock and Yarn Finishing  
Nonwoven Manufacturing  
Felted Fabric Processing

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

## SUBPART L: CEMENT MANUFACTURING

Section  
307.2101 Nonleaching  
307.2102 Leaching  
307.2103 Materials Storage Piles Runoff

## SUBPART M: FEEDLOTS

Section  
307.2201 General  
307.2202 Ducks

## SUBPART N: ELECTROPLATING

Section  
307.2300 General Provisions  
307.2301 Electroplating of Common Metals  
307.2302 Electroplating of Precious Metals  
307.2304 Anodizing  
307.2305 Coatings  
307.2306 Chemical Etching and Milling  
307.2307 Electroless Plating  
307.2308 Printed Circuit Boards

## SUBPART O: ORGANIC CHEMICALS, PLASTICS AND SYNTHETIC FIBERS

Section  
307.2400 General Provisions  
307.2401 Rayon Fibers  
307.2402 Other Fibers  
307.2403 Thermoplastic Resins  
307.2404 Thermosetting Resins  
307.2405 Commodity Organic Chemicals  
307.2406 Bulk Organic Chemicals  
307.2407 Specialty Organic Chemicals  
307.2410 Indirect Discharge Point Sources  
307.2490 Non-complexed Metal-bearing and Cyanide-bearing Wastestreams  
307.2491 Complexed Metal-bearing Wastestreams

## SUBPART P: INORGANIC CHEMICALS MANUFACTURING

Section  
307.2500 General Provisions  
307.2501 Aluminum Chloride Production  
307.2502 Aluminum Sulfate Production  
307.2503 Calcium Carbide Production  
307.2504 Calcium Chloride Production

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

307.2505 Calcium Oxide Production  
307.2506 Chlor-alkali Process (Chlorine and Sodium or Potassium Hydroxide Production)  
307.2508 Hydrofluoric Acid Production  
307.2509 Hydrogen Peroxide Production  
307.2511 Potassium Metal Production  
307.2512 Potassium Dichromate Production  
307.2513 Potassium Sulfate Production  
307.2514 Sodium Bicarbonate Production  
307.2516 Sodium Chloride Production  
307.2517 Sodium Dichromate and Sodium Sulfate Production  
307.2520 Sodium Sulfite Production  
307.2522 Titanium Dioxide Production  
307.2523 Aluminum Fluoride Production  
307.2524 Ammonium Chloride Production  
307.2527 Borax Production  
307.2528 Boric Acid Production  
307.2529 Bromine Production  
307.2530 Calcium Carbonate Production  
307.2531 Calcium Hydroxide Production  
307.2533 Carbon Monoxide and Byproduct Hydrogen Production  
307.2534 Chrome Pigments Production  
307.2535 Chromic Acid Production  
307.2536 Copper Salts Production  
307.2538 Ferric Chloride Production  
307.2540 Fluorine Production  
307.2541 Hydrogen Production  
307.2542 Hydrogen Cyanide Production  
307.2543 Iodine Production  
307.2544 Lead Monoxide Production  
307.2545 Lithium Carbonate Production  
307.2547 Nickel Salts Production  
307.2549 Oxygen and Nitrogen Production  
307.2550 Potassium Chloride Production  
307.2551 Potassium Iodide Production  
307.2553 Silver Nitrate Production  
307.2554 Sodium Bisulfite Production  
307.2555 Sodium Fluoride Production  
307.2560 Stannic Oxide Production  
307.2563 Zinc Sulfate Production  
307.2564 Cadmium Pigments and Salts Production  
307.2565 Cobalt Salts Production  
307.2566 Sodium Chlorate Production  
307.2567 Zinc Chloride Production

## SUBPART R: SOAP AND DETERGENTS

Section



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

307.2701	Soap Manufacturing by Batch Kettle
307.2702	Fatty Acid Manufacturing by Fat Splitting
307.2703	Soap Manufacturing by Fatty Acid Neutralization
307.2704	Glycerine Concentration
307.2705	Glycerine Distillation
307.2706	Manufacture of Soap Flakes and Powders
307.2707	Manufacture of Bar Soaps
307.2708	Manufacture of Liquid Soaps
307.2709	Oleum Sulfonation and Sulfation
307.2710	Air-Sulfur Trioxide Sulfation and Sulfonation
307.2711	Sulfur Trioxide Solvent and Vacuum Sulfonation
307.2712	Sulfamic Acid Sulfation
307.2713	Chlorosulfonic Acid Sulfation
307.2714	Neutralization of Sulfuric Acid Esters and Sulfonic Acids
307.2715	Manufacture of Spray Dried Detergents
307.2716	Manufacture of Liquid Detergents
307.2717	Manufacturing of Detergents by Dry Blending
307.2718	Manufacture of Drum Dried Detergents
307.2719	Manufacture of Detergent Bars and Cakes

## SUBPART S: FERTILIZER MANUFACTURING

Section	
307.2801	Phosphate
307.2802	Ammonia
307.2803	Urea
307.2804	Ammonium Nitrate
307.2805	Nitric Acid
307.2806	Ammonium Sulfate Production
307.2807	Mixed and Blend Fertilizer Production

## SUBPART T: PETROLEUM REFINING

Section	
307.2901	Topping
307.2902	Cracking
307.2903	Petrochemical
307.2904	Lube
307.2905	Integrated

## SUBPART U: IRON AND STEEL MANUFACTURING

Section	
307.3000	General Provisions
307.3001	Cokemaking
307.3002	Sintering
307.3003	Ironmaking
307.3004	Steelmaking

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307.3005	Vacuum Degassing
307.3006	Continuous Casting
307.3007	Hot Forming
307.3008	Salt Bath Descaling
307.3009	Acid Pickling
307.3010	Cold Forming
307.3011	Alkaline Cleaning
307.3012	Hot Coating

## SUBPART V: NONFERROUS METALS MANUFACTURING

Section	
307.3100	General Provisions
307.3101	Bauxite Refining
307.3102	Primary Aluminum Smelting
307.3103	Secondary Aluminum Smelting
307.3104	Primary Copper Smelting
307.3105	Primary Electrolytic Copper Refining
307.3106	Secondary Copper
307.3107	Primary Lead
307.3108	Primary Zinc
307.3109	Metallurgical Acid Plants
307.3110	Primary Tungsten
307.3111	Primary Columbium-Tantalum
307.3112	Secondary Silver
307.3113	Secondary Lead
307.3114	Primary Antimony
307.3115	Primary Beryllium
307.3116	Primary and Secondary Germanium and Gallium
307.3117	Secondary Indium
307.3118	Secondary Mercury
307.3119	Primary Molybdenum and Rhenium
307.3120	Secondary Molybdenum and Vanadium
307.3121	Primary Nickel and Cobalt
307.3122	Secondary Nickel
307.3123	Primary Precious Metals and Mercury
307.3124	Secondary Precious Metals
307.3125	Primary Rare Earth Metals
307.3126	Secondary Tantalum
307.3127	Secondary Tin
307.3128	Primary and Secondary Titanium
307.3129	Secondary Tungsten and Cobalt
307.3130	Secondary Uranium
307.3131	Primary Zirconium and Hafnium

## SUBPART X: STEAM ELECTRIC POWER GENERATING

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307.3301	Steam Electric Power Generating
SUBPART Y: FERROALLOY MANUFACTURING	
Section	
307.3401	Open Electric Furnaces With Wet Air Pollution Control Devices
307.3402	Covered Electric Furnaces and Other Smelting Operations with Wet Air Pollution Control Devices
307.3403	Slag Processing
307.3404	Covered Calcium Carbide Furnaces With Wet Air Pollution Control Devices
307.3405	Other Calcium Carbide Furnaces
307.3406	Electrolytic Manganese Products
307.3407	Electrolytic Chromium

## SUBPART Z: LEATHER TANNING AND FINISHING

Section	
307.3500	General Provisions
307.3501	Hair Pulp, Chrome Tan, Retan-Wet Finish
307.3502	Hair Save, Chrome Tan, Retan-Wet Finish
307.3503	Hair Save or Pulp, Non-Chrome Tan, Retan-Wet Finish
307.3504	Retan-Wet Finish-Sides
307.3505	No Beamhouse
307.3506	Through-the-Blue
307.3507	Shearling
307.3508	Pigskin
307.3509	Retan-Wet Finish-Splits
307.3590	Potassium Ferricyanide Titration Method

## SUBPART BA: GLASS MANUFACTURING

Section	
307.3601	Insulation Fiberglass
307.3602	Sheet Glass Manufacturing
307.3603	Rolled Glass Manufacturing
307.3604	Plate Glass Manufacturing
307.3605	Float Glass Manufacturing
307.3606	Automotive Glass Tempering
307.3607	Automotive Glass Laminating
307.3608	Glass Container Manufacturing
307.3610	Glass Tubing (Danner) Manufacturing
307.3611	Television Picture Tube Envelope Manufacturing
307.3612	Incandescent Lamp Envelope Manufacturing
307.3613	Hand Pressed and Blown Glass Manufacturing

## SUBPART BB: ASBESTOS MANUFACTURING

307.3613	Without	Water	Wash	Spray
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Section	
307.3701	Asbestos-Cement Pipe
307.3702	Asbestos-Cement Sheet
307.3703	Asbestos Paper (Starch Binder)
307.3704	Asbestos Paper (Elastomeric Binder)
307.3705	Asbestos Millboard
307.3706	Asbestos Roofing
307.3707	Asbestos Floor Tile
307.3708	Coating or Finishing of Asbestos Textiles
307.3709	Solvent Recovery
307.3710	Vapor Absorption
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Section	
307.3801	Tire and Inner Tube Plants
307.3802	Emulsion Crumb Rubber
307.3803	Solution Crumb Rubber
307.3804	Latex Rubber
307.3805	Small-Sized General Molded, Extruded and Fabricated Rubber Plants
307.3806	Medium-Sized General Molded, Extruded and Fabricated Rubber Plants
307.3807	Large-Sized General Molded, Extruded and Fabricated Rubber Plants
307.3808	Wet Digestion Reclaimed Rubber
307.3809	Pan, Dry Digestion and Mechanical Reclaimed Rubber
307.3810	Latex-Dipped, Latex-Extruded and Latex-Molded Rubber
307.3811	Latex Foam

## SUBPART BD: TIMBER PRODUCTS PROCESSING

Section	
307.3900	General Provisions
307.3901	Barking
307.3902	Veneer
307.3903	Plywood
307.3904	Dry Process Hardboard
307.3905	Wet Process Hardboard
307.3906	Wood Preserving-Water Borne or Nonpressure
307.3907	Wood Preserving-Steam
307.3908	Wood Preserving-Boulton
307.3909	Wood Storage
307.3910	Log Washing
307.3911	Sawmills and Planing Mills
307.3912	Finishing
307.3913	Particleboard Manufacturing
307.3914	Insulation Board
307.3915	Wood Furniture and Fixture Production Without
	Booth(s) or Without Laundry Facilities



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307.3916 Wood Furniture and Fixture Production with Water Wash Spray Booth(s) or With Laundry Facilities

## SUBPART BE: PULP, PAPER AND PAPERBOARD

Section  
 307.4000 General Provisions  
 307.4001 Dissolving Kraft  
 307.4002 Bleached Papergrade Kraft and Soda  
 307.4003 Unbleached Kraft  
 307.4004 Dissolving Sulfite  
 307.4005 Papergrade Sulfite  
 307.4006 Semi-Chemical  
 307.4007 Mechanical Pulp  
 307.4008 Non-Wood Chemical Pulp  
 307.4009 Secondary Fiber Deink  
 307.4010 Secondary Fiber Non-Deink  
 307.4011 Fine and Lightweight Papers from Purchased Pulp  
 307.4012 Tissue, Filter, Non-Woven, and Paperboard from Purchased Pulp  
 307.4013 Groundwood-Thermo-Mechanical (Repealed)  
 307.4014 Groundwood-CMN Papers (Repealed)  
 307.4015 Groundwood-Fine Papers (Repealed)  
 307.4016 Soda (Repealed)  
 307.4017 Deink (Repealed)  
 307.4018 Nonintegrated-Fine Papers (Repealed)  
 307.4019 Nonintegrated-Tissue Papers (Repealed)  
 307.4020 Tissue From Wastepaper (Repealed)  
 307.4021 Papergrade Sulfite (Drum Wash) (Repealed)  
 307.4022 Unbleached Kraft and Semi-Chemical (Repealed)  
 307.4023 Wastepaper-Molded Products (Repealed)  
 307.4024 Nonintegrated-Lightweight Papers (Repealed)  
 307.4025 Nonintegrated-Filter and Nonwoven Papers (Repealed)  
 307.4026 Nonintegrated-Paperboard (Repealed)

## SUBPART BF: BUILDERS' PAPER AND BOARD MILLS (Repealed)

Section  
 307.4101 Builder's Paper and Roofing Felt (Repealed)

## SUBPART BG: MEAT PRODUCTS

Section  
 307.4201 Simple Slaughterhouse  
 307.4202 Complex Slaughterhouse  
 307.4203 Low-Processing Packinghouse  
 307.4204 High-Processing Packinghouse  
 307.4205 Small Processor  
 307.4206 Meat Cutter

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307.4207 Sausage and Luncheon Meats Processor  
 307.4208 Ham Processor  
 307.4209 Canned Meats Processor  
 307.4210 Renderer

## SUBPART BH: METAL FINISHING

Section  
 307.4300 General Provisions  
 307.4301 Metal Finishing

## SUBPART BL: CENTRALIZED WASTE TREATMENT

Section  
 307.4700 General Provisions  
 307.4701 Metals Treatment and Recovery  
 307.4702 Oils Treatment and Recovery  
 307.4703 Organics Treatment and Recovery  
 307.4704 Multiple Wastestreams

## SUBPART BN: PHARMACEUTICAL MANUFACTURING

Section  
 307.4900 General Provisions  
 307.4901 Fermentation Products  
 307.4902 Extraction Products  
 307.4903 Chemical Synthesis Products  
 307.4904 Mixing/Compounding and Formulation  
 307.4905 Research (Repealed)

## SUBPART BQ: TRANSPORTATION EQUIPMENT CLEANING

Section  
 307.5200 General Provisions  
 307.5201 Tank Trucks and Intermodal Tank Containers Transporting Chemical and Petroleum Cargos  
 307.5202 Rail Tank Cars Transporting Chemical and Petroleum Cargos  
 307.5203 Tank Barges and Ocean/Sea Tankers Transporting Chemical and Petroleum Cargos  
 307.5204 Tanks Transporting Food Grade Cargos

## SUBPART BR: PAVING AND ROOFING MATERIALS (TARS AND ASPHALT)

Section  
 307.5301 Asphalt Emulsion  
 307.5302 Asphalt Concrete  
 307.5303 Asphalt Roofing  
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## SUBPART BU: PAINT FORMULATING

Section  
307.5601 Oil-Base Solvent Wash Paint

## SUBPART BV: INK FORMULATING

Section  
307.5701 Oil-Base Solvent Wash Ink

## SUBPART CD: PESTICIDE CHEMICALS

Section  
307.6500 General Provisions  
307.6501 Organic Pesticide Chemicals Manufacturing  
307.6502 Metallo-Organic Pesticides Chemicals Manufacturing  
307.6503 Pesticide Chemicals Formulating and Packaging

## SUBPART CC: CARBON BLACK MANUFACTURING

Section  
307.6801 Carbon Black Furnace Process  
307.6802 Carbon Black Thermal Process  
307.6803 Carbon Black Channel Process  
307.6804 Carbon Black Lamp Process

## SUBPART CJ: BATTERY MANUFACTURING

Section  
307.7100 General Provisions  
307.7101 Cadmium  
307.7102 Calcium  
307.7103 Lead  
307.7104 Leclanche  
307.7105 Lithium  
307.7106 Magnesium  
307.7107 Zinc

## SUBPART CL: PLASTICS MOLDING AND FORMING

Section  
307.7300 General Provisions  
307.7301 Contact Cooling and Heating Water  
307.7302 Cleaning Water  
307.7303 Finishing Water

## SUBPART CM: METAL MOLDING AND CASTING

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Section  
307.7400 General Provisions  
307.7401 Aluminum Casting  
307.7402 Copper Casting  
307.7403 Ferrous Casting  
307.7404 Zinc Casting

## SUBPART CN: COIL COATING

Section  
307.7500 General Provisions  
307.7501 Steel Basis Material  
307.7502 Galvanized Basis Material  
307.7503 Aluminum Basis Material  
307.7504 Canmaking

## SUBPART CO: PORCELAIN ENAMELING

Section  
307.7600 General Provisions  
307.7601 Steel Basis Material  
307.7602 Cast Iron Basis Material  
307.7603 Aluminum Basis Material  
307.7604 Copper Basis Material

## SUBPART CP: ALUMINUM FORMING

Section  
307.7700 General Provisions  
307.7701 Rolling With Neat Oils  
307.7702 Rolling With Emulsions  
307.7703 Extrusion  
307.7704 Forging  
307.7705 Drawing With Neat Oils  
307.7706 Drawing With Emulsions or Soaps

## SUBPART CQ: COPPER FORMING

Section  
307.7800 General Provisions  
307.7801 Copper Forming  
307.7802 Beryllium Copper Forming

## SUBPART CR: ELECTRICAL AND ELECTRONIC COMPONENTS

Section  
307.7901 Semiconductor  
307.7902 Electronic Crystals



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307.7903  
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Cathode Ray Tube  
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## SUBPART CT: NONFERROUS METALS FORMING AND METAL POWDERS

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307.8100 General Provisions  
307.8101 Lead-Tin-Bismuth Forming  
307.8102 Magnesium Forming  
307.8103 Nickel-Cobalt Forming  
307.8104 Precious Metals Forming  
307.8105 Refractory Metals Forming  
307.8106 Titanium Forming  
307.8107 Uranium Forming  
307.8108 Zinc Forming  
307.8109 Zirconium-Hafnium Forming  
307.8110 Metal Powders

## APPENDIX A

## References to Previous Rules (Repealed)

**AUTHORITY:** Implementing Sections 7.2, 13 and 13.3 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 13.3, and 27].

**SOURCE:** Adopted in R70-5, at 1 PCB 426, March 31, 1971; amended in R71-14, at 4 PCB 3, March 7, 1972; amended in R74-3, at 19 PCB 182, October 30, 1975; amended in R74-15, 16, at 31 PCB 405, at 2 Ill. Reg. 44, p. 151, effective November 2, 1978; amended in R76-17, at 31 PCB 713, at 2 Ill. Reg. 45, p. 101, effective November 5, 1978; amended in R76-21, at 44 PCB 203, at 6 Ill. Reg. 563, effective December 24, 1981; codified at 6 Ill. Reg. 7818; amended in R82-5, 10, at 54 PCB 411, at 8 Ill. Reg. 1625, effective January 18, 1984; amended in R86-44 at 12 Ill. Reg. 2592, effective January 13, 1988; amended in R88-11 at 12 Ill. Reg. 13094, effective July 29, 1988; amended in R88-18 at 13 Ill. Reg. 1794, effective January 31, 1989; amended in R89-3 at 13 Ill. Reg. 19288, effective November 17, 1989; amended in R88-9 at 14 Ill. Reg. 3100, effective February 20, 1990; amended in R89-12 at 14 Ill. Reg. 7620, effective May 8, 1990; amended in R91-5 at 16 Ill. Reg. 7377, effective April 27, 1992; amended in R93-2 at 17 Ill. Reg. 19483, effective October 29, 1993; amended in R94-10 at 19 Ill. Reg. 9142, effective June 23, 1995; amended in R95-22 at 20 Ill. Reg. 5549, effective April 1, 1996; amended in R97-23 at 21 Ill. Reg. 11930, effective August 12, 1997; amended in R99-4 at 23 Ill. Reg. 4413, effective March 31, 1999; amended in R99-17 at 23 Ill. Reg. 8421, effective July 12, 1999; amended in R00-15 at 24 Ill. Reg. 11640, effective July 24, 2000; amended in R01-5 at 25 Ill. Reg. 1735, effective January 11, 2001; amended in R01-25 at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART BL: CENTRALIZED WASTE TREATMENT

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## Section 307.4700 General Provisions

## a) Applicability.

1) The Board incorporates by reference 40 CFR 437.1 (1999), as amended at 65 Fed. Reg. 81242, December 22, 2000. This incorporation includes no later amendments or editions.

2) This Section applies to that portion of wastewater discharges from a centralized waste treatment facility that results from any of the following activities, as defined in the materials incorporated by reference in Section 307.4700(a)(1):

A) Treatment and recovery of hazardous or non-hazardous industrial metal-bearing wastes, oily wastes and organic-bearing wastes received from off-site; and

B) The treatment of centralized waste treatment wastewater.

b) General definitions. The Board incorporates by reference 40 CFR 437.2 (1999), as amended at 65 Fed. Reg. 81242, December 22, 2000. This incorporation includes no later amendments or editions.

c) General pretreatment standards. Any source subject to this Section that introduces process wastewater pollutants into a publicly owned treatment works (POTW) must comply with Subpart B of 35 Ill. Adm. Code 307 and 35 Ill. Adm. Code 310.

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 307.4701 Metals Treatment and Recovery

a) Applicability. This Section applies to that portion of the discharge of wastewater from a centralized waste treatment facility that results from the treatment of, or recovery of metals from, both metal-bearing wastes received from off-site and other centralized waste treatment wastewater associated with the treatment of, or recovery of metal-bearing wastes. The Board incorporates by reference 40 CFR 437.10 (1999), as amended at 65 Fed. Reg. 81242, December 22, 2000. This incorporation includes no later amendments or editions.

## b) Existing sources:

1) The Board incorporates by reference 40 CFR 437.15 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in Section 307.4701(b)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

## c) New sources:

1) The Board incorporates by reference 40 CFR 437.16 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by



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reference in Section 307.4701(c)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 307.4702 Oils Treatment and Recovery**

a) Applicability. This Section applies to that portion of the discharge of wastewater from a centralized waste treatment facility that results from the treatment of, or recovery of oil from both oily wastes received from off-site and other centralized waste treatment wastewater associated with the treatment of, or recovery of oily wastes. The Board incorporates by reference 40 CFR 437.20 (1999), as amended at 65 Fed. Reg. 81242, December 22, 2000. This incorporation includes no later amendments or editions.

b) Existing sources:

1) The Board incorporates by reference 40 CFR 437.25 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in Section 307.4702(b)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

c) New sources:

1) The Board incorporates by reference 40 CFR 437.26 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in Section 307.4702(c)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 307.4703 Organics Treatment and Recovery**

a) Applicability. This Section applies to that portion of the discharge of wastewater from a centralized waste treatment facility that results from the treatment of, or recovery of organic material from both organic wastes received from off-site and other centralized waste treatment wastewater associated with the treatment of, or recovery of organic wastes. The Board incorporates by reference 40 CFR 437.30 (1999), as amended at 65 Fed. Reg. 81242, December 22, 2000. This incorporation includes no later amendments or editions.

b) Existing sources:

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1) The Board incorporates by reference 40 CFR 437.35 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in Section 307.4703(b)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

c) New sources:

1) The Board incorporates by reference 40 CFR 437.36 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in Section 307.4703(c)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 307.4704 Multiple Wastestreams**

a) Applicability. Facilities that treat wastes subject to more than one of the previous Sections in this Subpart BL must comply with either the provisions of this Section or the applicable provisions of Section 307.4701, 307.4702, or 307.4703. This Section applies to that portion of the discharge of wastewater from a centralized waste treatment facility that results from mixing any combination of treated or untreated waste otherwise subject to Section 307.4701, 307.4702, or 307.4703. The Board incorporates by reference 40 CFR 437.40 (1999), as amended at 65 Fed. Reg. 81242, December 22, 2000. This incorporation includes no later amendments or editions.

b) Existing sources:

1) The Board incorporates by reference 40 CFR 437.46 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in Section 307.4704(b)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

c) New sources:

1) The Board incorporates by reference 40 CFR 437.47 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in Section 307.4704(c)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.



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(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART BQ: TRANSPORTATION EQUIPMENT CLEANINGSection 307.5200 General Provisionsa) Applicability.

1) The Board incorporates by reference 40 CFR 442.1 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) This Section applies to discharges resulting from cleaning the interior of tanks used to transport chemical, petroleum or food grade cargos, as defined in the materials incorporated by reference in Section 307.5200(a)(1).

b) General definitions. The Board incorporates by reference 40 CFR 442.2 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

c) General pretreatment standards. Any source subject to this Section that introduces process wastewater pollutants into a publicly owned treatment works (POTW) must comply with Subpart B of 35 Ill. Adm. Code 307 and 35 Ill. Adm. Code 310.

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 307.5201 Tank Trucks and Intermodal Tank Containers Transporting Chemical and Petroleum Cargos

a) Applicability. This Section applies to discharges resulting from the cleaning of tank trucks and intermodal tank containers which have been used to transport chemical or petroleum cargos.

b) Existing sources:

1) The Board incorporates by reference 40 CFR 442.15 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in Section 307.5201(b)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

c) New sources:

1) The Board incorporates by reference 40 CFR 442.16 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in Section 307.5201(c)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

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(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 307.5202 Rail Tank Cars Transporting Chemical and Petroleum Cargos

a) Applicability. This Section applies to discharges resulting from the cleaning of rail tank cars which have been used to transport chemical or petroleum cargos.

b) Existing sources:

1) The Board incorporates by reference 40 CFR 442.25 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in Section 307.5202(b)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

c) New sources:

1) The Board incorporates by reference 40 CFR 442.26 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in Section 307.5202(c)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 307.5203 Tank Barges and Ocean/Sea Tankers Transporting Chemical and Petroleum Cargos

a) Applicability. This Section applies to discharges resulting from the cleaning of tank barges or ocean/sea tankers which have been used to transport chemical or petroleum cargos.

b) Existing sources:

1) The Board incorporates by reference 40 CFR 442.35 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in Section 307.5203(b)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

c) New sources:

1) The Board incorporates by reference 40 CFR 442.36 (1999), as amended at 65 Fed. Reg. 49666, August 14, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in Section 307.5203(c)(1) shall cause, threaten or



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provisions of 40 CFR 264, Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities, Subpart N (Landfills); and 40 CFR 265, Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities, Subpart N (Landfills).

b) Existing sources. Any source subject to this Section that introduces wastewater pollutants into a publicly owned treatment works (POTW) must comply with Subpart B of 35 Ill. Adm. Code 307 and 35 Ill. Adm. Code 310.7

1) The Board incorporates by reference 40 CFR 445.14 (1999), as amended at 65 Fed. Reg. 3008, January 19, 2000, and 65 Fed. Reg. 4344, March 16, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in subsection (b) of this Section shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

c) New sources. Any source subject to this Section that introduces wastewater pollutants into a publicly owned treatment works (POTW) must comply with Subpart B of 35 Ill. Adm. Code 307 and 35 Ill. Adm. Code 310.7

1) The Board incorporates by reference 40 CFR 445.14 (1999), as amended at 65 Fed. Reg. 3008, January 19, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in Section 307.5501(c) of this Section shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 307.5502 RCRA Subtitle D Non-Hazardous Waste Landfill

a) Applicability. Except as provided in Section 307.5500, this Section applies to discharges of wastewater from landfills subject to the provisions of 40 CFR 258, Criteria for Municipal Solid Waste Landfills; and 40 CFR 257, Criteria for Classification of Solid Waste Disposal Facilities and Practices.

b) Existing sources. Any source subject to this Section that introduces wastewater pollutants into a publicly owned treatment works (POTW) must comply with Subpart B of 35 Ill. Adm. Code 307 and 35 Ill. Adm. Code 310.7

1) The Board incorporates by reference 40 CFR 445.21 (1999), as amended at 65 Fed. Reg. 3008, January 19, 2000, and 65 Fed. Reg. 4344, March 16, 2000. This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by

POLLUTION CONTROL BOARD  
NOTICE OF PROPOSED AMENDMENTS

allow the discharge of any contaminant to a POTW in violation of such standards.

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 307.5204 Tanks Transporting Food Grade Cargos

This Section applies to discharges resulting from the cleaning of tank trucks, intermodal tank containers, rail tank cars, tank barges and ocean/sea tanker which have been used to transport food grade cargos. If wastewater generated from cleaning tanks used to transport food grade cargos is mixed with wastewater resulting from cleaning tanks used to transport chemical or petroleum cargos, then the combined wastewater is subject to the provisions established for the corresponding tanks in Sections 307.4701, 307.4702, or 307.4703.

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART BT: LANDFILLS

Section 307.5500 General Provisions

a) Applicability.

1) The Board incorporates by reference 40 CFR 445.1 (1999), as amended at 65 Fed. Reg. 3008, January 19, 2000. This incorporation includes no later amendments or editions.

2) This Section applies to discharges of wastewater from landfill units, as defined in the materials incorporated by reference in subsection (a)(1) of this Section.

b) General definitions. The Board incorporates by reference 40 CFR 445.2 (1999), as amended at 65 Fed. Reg. 3008, January 19, 2000. This incorporation includes no later amendments or editions.

c) General Pretreatment Standards. Any source subject to this Section that introduces wastewater pollutants into a publicly owned treatment works (POTW) must comply with Subpart B of 35 Ill. Adm. Code 307 and 35 Ill. Adm. Code 310. The Board incorporates by reference 40 CFR 445.3 (1999), as amended at 65 Fed. Reg. 3008, January 19, 2000. This incorporation includes no later amendments or editions.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 307.5501 RCRA Subtitle C Hazardous Waste Landfill

a) Applicability. Except as provided in Section 307.5500, this Section applies to discharges of wastewater from landfills subject to the



DEPARTMENT OF CENTRAL MANAGEMENT  
NOTICE OF ADOPTED AMENDMENTS

POLLUTION CONTROL BOARD  
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Numbers: Adopted Action:  
310.270 Amend  
310.280 Amend
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].
- 5) Effective Date of Rulemaking: May 25, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No

- c) New sources. Any source subject to this Section that introduces wastewater pollutants into a publicly owned treatment works (POTW) must comply with Subpart B of 35 Ill. Adm. Code 307 and 35 Ill. Adm. Code 310.2.
- 1) The Board incorporates by reference 40 CFR 445.24 (1999) as amended at 65 Fed. Reg. 30087, January 19, 2000. This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (c) of this Section shall cause or threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

- 9) Notice of Proposal Published in Illinois Register:  
January 26, 2001, Issue #4, 25 Ill. Reg. 1037 (Section 310.280)  
February 2, 2001, Issue #5, 25 Ill. Reg. 1889 (Section 310.270)
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Difference between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace emergency amendments currently in effect? No
- 14) Are there any amendments pending on this Part? Yes

Section Numbers	Adopted Action	Illinois Register Citation
310.280	Amend	25 Ill. Reg. 3058
310. Appendix A, Table AA	Amend	25 Ill. Reg. 3058
310.280	Amend	25 Ill. Reg. 4316
310.280	Amend	25 Ill. Reg. 5774
310.280	Amend	25 Ill. Reg. 7151

Summary and Purpose of Amendments:  
In Section 310.270, Legislated and Contracted Rate, the annual salary for the Arbitrator was increased from \$90,657 to \$94,537.92 for July 1, 2000.

## DEPARTMENT OF CENTRAL MANAGEMENT

## NOTICE OF ADOPTED AMENDMENTS

In Section 310.280, Designated Rate, the annual salaries for the Public Service Administrator positions of 37015-42-35-140-20-01 and 37015-10-23-100-30-01 were upgraded from \$82,116 to \$87,720 and \$73,632 to \$76,572, respectively.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Michael Murphy  
Department of Central Management Services  
504 William G. Stratton Building  
Springfield Illinois 62706  
217/782-5601

The full text of the adopted amendments begins on the next page:

## DEPARTMENT OF CENTRAL MANAGEMENT

## NOTICE OF ADOPTED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND  
POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310  
PAY PLAN

## SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 2001
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases (Repealed)
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

## SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate
310.300	Educator Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

## SUBPART C: MERIT COMPENSATION SYSTEM







## DEPARTMENT OF CENTRAL MANAGEMENT

## NOTICE OF ADOPTED AMENDMENTS

amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854,

## DEPARTMENT OF CENTRAL MANAGEMENT

## NOTICE OF ADOPTED AMENDMENTS

effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 19, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160,



## DEPARTMENT OF CENTRAL MANAGEMENT

## NOTICE OF ADOPTED AMENDMENTS

effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; peremptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; peremptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill.

## DEPARTMENT OF CENTRAL MANAGEMENT

## NOTICE OF ADOPTED AMENDMENTS

Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; peremptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; peremptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; peremptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; peremptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; peremptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; peremptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; peremptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective

MAY 25 2001

## SUBPART B: SCHEDULE OF RATES

## Section 310.270 Legislated and Contracted Rate

The rate of pay for employees occupying positions which require payment in accordance with specified rates set forth in legislation or by contract. The positions and rates of pay in this Section are as follows:

Arbitrator	Annual Salary
	\$90,657
	94,537.92

When an Arbitrator is serving as an acting Commissioner of the Illinois Industrial Commission, the appropriate rate will be the same as the rate set for a Commissioner.

(Source: Amended at 25 Ill. Reg. 7151, effective MAY 25 2001)

## Section 310.280 Designated Rate

The rate of pay for a specific positions or class of positions where it is deemed desirable to exclude such from the other requirements of this Pay Plan shall be only as designated by the Governor.

Department of Commerce & Community Affairs

## DEPARTMENT OF CENTRAL MANAGEMENT

## NOTICE OF ADOPTED AMENDMENTS

Economic Development Representative II  
(Pos. No. 12932-42-35-110-10-02)

Annual Salary  
54,048

Private Secretary II  
(Pos. No. 34202-42-00-000-01-02)

Annual Salary  
48,492

Public Information Officer IV  
(Pos. No. 37004-42-00-005-10-01)

Annual Salary  
64,932

Public Service Administrator  
(Pos. No. 37015-42-35-110-10-03)

Annual Salary  
75,588

Public Service Administrator  
(Pos. No. 37015-42-35-140-20-01)

Annual Salary  
87,720  
~~82,716~~

Department of Human Services

Medical Administrator I, Option D  
(Pos. No. 26401-10-79-006-00-21)

Annual Salary  
142,368

Public Service Administrator  
(Pos. No. 37015-10-23-100-30-01)

Annual Salary  
76,572  
73,632

Senior Public Service Administrator  
(Pos. No. 40070-10-65-000-00-01)

Annual Salary  
105,475

Senior Public Service Administrator  
(Pos. No. 40070-10-81-920-00-21)

Annual Salary  
105,480

Illinois State and Local Labor Relations Board

Private Secretary II  
(Pos. No. 34202-50-19-000-00-01)

Annual Salary  
51,900

Department of Natural Resources

Administrative Assistant II  
(Pos. No. 00502-12-30-000-20-01)

Annual Salary  
50,520

Department of State Police

Senior Public Service Administrator  
(Pos. No. 40070-21-10-000-00-01)

Annual Salary  
109,358

(Source: Amended at 25 Ill. Reg. 7151-2, effective MAY 25 2004)

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Administration of the Illinois Public Community College Act

2) Code Citation: 23 Ill. Adm. Code 1501

3) Section Numbers: Adopted Action:  
1501.602 Amendment  
1501.604 Amendment

4) Statutory Authority: 110 ILCS 805/2-12

5) Effective Date of Rulemaking: May 18, 2001

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: November 17, 2000; 24 Ill. Reg. 16874

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: All changes recommended by JCAR were incorporated.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this rulemaking replace emergency amendments currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: The adopted amendments will increase the ICCB approval threshold from \$25,000 to \$250,000 for locally funded capital projects, excluding protection, health, and safety funded projects. This change will allow colleges more flexibility in planning and implementing small remodeling projects on short notice to meet the demands and needs of students, staff, faculty, and local businesses.

16) Information and questions regarding these adopted amendments shall be directed to:

Cherie VanMeter  
Administrative Aide



## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

Illinois Community College Board  
401 East Capitol Avenue  
Springfield, Illinois 62701-1711  
(217) 785-0053

The full text of the adopted amendments begins on the next page:

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES  
SUBTITLE A: EDUCATION  
CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

## PART 1501

## ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

## SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

Section  
1501.101 Definition of Terms  
1501.102 Advisory Groups  
1501.103 Rule Adoption (Recodified)  
1501.104 Manuals  
1501.105 Advisory Opinions  
1501.106 Executive Director  
1501.107 Information Request (Recodified)  
1501.108 Organization of ICCB (Recodified)  
1501.109 Appearance at ICCB Meetings  
1501.110 Appeal Procedure  
1501.111 Reporting Requirements (Repealed)  
1501.112 Certification of Organization (Repealed)  
1501.113 Administration of Detachments and Subsequent Annexations  
1501.114 Recognition

## SUBPART B: LOCAL DISTRICT ADMINISTRATION

Section  
1501.201 Reporting Requirements  
1501.202 Certification of Organization  
1501.203 Delineation of Responsibilities  
1501.204 Maintenance of Documents or Information  
1501.205 Recognition Standards (Repealed)

## SUBPART C: PROGRAMS

Section  
1501.301 Definition of Terms  
1501.302 Units of Instruction, Research, and Public Service  
1501.303 Program Requirements  
1501.304 Statewide and Regional Planning  
1501.305 College, Branch, Campus, and Extension Centers  
1501.306 State or Federal Institutions (Repealed)  
1501.307 Cooperative Agreements and Contracts  
1501.308 Reporting Requirements  
1501.309 Course Classification and Applicability

## SUBPART D: STUDENTS

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

Section	
1501.401	Definition of Terms
1501.402	Admission of Students
1501.403	Student Services
1501.404	Academic Records
1501.405	Student Evaluation
1501.406	Reporting Requirements

## SUBPART E: FINANCE

Section	
1501.501	Definition of Terms
1501.502	Financial Planning
1501.503	Audits
1501.504	Budgets
1501.505	Student Tuition
1501.506	Published Financial Statements
1501.507	Credit Hour Grants
1501.508	Special Populations Grants
1501.509	Workforce Preparation Grants
1501.510	Reporting Requirements
1501.511	Chart of Accounts
1501.514	Business Assistance Grants (Repealed)
1501.515	Advanced Technology Equipment Grants
1501.516	Capital Renewal Grants
1501.517	Retirees Health Insurance Grants
1501.518	Uncollectible Debts
1501.520	Lincoln's Challenge Grants
1501.521	Technology Enhancement Grants
1501.522	Deferred Maintenance Grants

## SUBPART F: CAPITAL PROJECTS

Section	
1501.601	Definition of Terms
1501.602	Approval of Capital Projects
1501.603	State Funded Capital Projects
1501.604	Locally Funded Capital Projects
1501.605	Project Changes
1501.606	Progress Reports (Repealed)
1501.607	Reporting Requirements
1501.608	Approval of Projects in Section 3-20.3.01 of the Act
1501.609	Completion of Projects Under Section 3-20.3.01 of the Act
1501.610	Demolition of Facilities

## SUBPART G: STATE COMMUNITY COLLEGE

Section

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

Section	
1501.701	Definitions of Terms
1501.702	Applicability
1501.703	Recognition
1501.704	Programs
1501.705	Finance
1501.706	Personnel
1501.707	Facilities

## SUBPART H: PERSONNEL

Section	
1501.801	Definition of Terms
1501.802	Sabbatical Leaves

**AUTHORITY:** Implementing and authorized by Articles II and III and Section 6-5.3 of the Public Community College Act [110 ILCS 805/Arts. II and III and 6-5.3].

**SOURCE:** Adopted at 6 Ill. Reg. 14262, effective November 3, 1982; codified at 7 Ill. Reg. 2332; amended at 7 Ill. Reg. 16118, effective November 22, 1983; Sections 1501.103, 1501.107 and 1501.108 recodified to 2 Ill. Adm. Code 5175 at 8 Ill. Reg. 6032; amended at 8 Ill. Reg. 14262, effective July 25, 1984; amended at 8 Ill. Reg. 19383, effective September 28, 1984; emergency amendment at 8 Ill. Reg. 22603, effective November 7, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 24299, effective December 5, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3691, effective March 13, 1985; amended at 9 Ill. Reg. 9470, effective June 11, 1985; amended at 9 Ill. Reg. 16813, effective October 21, 1985; amended at 10 Ill. Reg. 3612, effective January 31, 1986; amended at 10 Ill. Reg. 14658, effective August 22, 1986; amended at 11 Ill. Reg. 7606, effective April 8, 1987; amended at 11 Ill. Reg. 18150, effective October 27, 1987; amended at 12 Ill. Reg. 6660, effective March 25, 1988; amended at 12 Ill. Reg. 15973, effective September 23, 1988; amended at 12 Ill. Reg. 16699, effective September 23, 1988; amended at 12 Ill. Reg. 19691, effective November 15, 1988; amended at 13 Ill. Reg. 1182, effective January 13, 1989; amended at 13 Ill. Reg. 14904, effective September 12, 1989; emergency amendment at 14 Ill. Reg. 299, effective November 9, 1989, for a maximum of 150 days; emergency amendment expired on April 9, 1990; amended at 14 Ill. Reg. 4126, effective March 1, 1990; amended at 14 Ill. Reg. 10762, effective June 25, 1990; amended at 14 Ill. Reg. 11771, effective July 9, 1990; amended at 14 Ill. Reg. 13997, effective August 20, 1990; expedited correction at 18 Ill. Reg. 3027, effective August 20, 1990; amended at 15 Ill. Reg. 10929, effective July 11, 1991; amended at 16 Ill. Reg. 12445, effective July 24, 1992; amended at 16 Ill. Reg. 17621, effective November 6, 1992; amended at 17 Ill. Reg. 1853, effective February 2, 1993; amended at 18 Ill. Reg. 4635, effective March 9, 1994; amended at 18 Ill. Reg. 8906, effective June 1, 1994; amended at 19 Ill. Reg. 2299, effective February 14, 1995; amended at 19 Ill. Reg. 2816, effective February 21, 1995; amended at 19 Ill. Reg. 7515, effective May 26, 1995; amended at 21 Ill. Reg. 5891, effective



## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

April 22, 1997; amended at 22 Ill. Reg. 2087, effective January 12, 1998; amended at 22 Ill. Reg. 17472, effective July 10, 1998; amended at 24 Ill. Reg. 249, effective December 21, 1999; amended at 24 Ill. Reg. 17522, effective November 20, 2000; amended at 25 Ill. Reg. 7161, effective MAY 18 2001.

## SUBPART F: CAPITAL PROJECTS

## Section 1501.602 Approval of Capital Projects

a) Notwithstanding any provision to the contrary (see subsection (b) and Section 1501.604(b)), requests for approval of capital projects shall be submitted to the ICCB on the forms prescribed by the ICCB.

b) A project requiring the expenditure of state or local funds for purchase, construction, remodeling, or rehabilitation of physical facilities at a primary or secondary site shall have prior ICCB approval except the following:

- 1) locally-funded projects that meet the definition of a maintenance project as defined in Section 1501.601, or
- 2) locally funded projects that result in no change in room use, or
- 3) locally funded projects for which the total estimated cost is less than \$250,000\$257000.

c) A District Site and Construction Master Plan shall be filed with the ICCB by January 1, 1991. The purpose of the plan is to apprise the ICCB of possible primary site new construction and secondary site acquisition/construction plans for the next three years throughout the district. The plan should be updated, as needed, to ensure that any project submitted for approval has been reflected in the district plan on file with the ICCB at least two months prior to submission of the project. Any primary site new construction or secondary site acquisition/construction projects must be reflected in the plan in order to receive consideration for approval. The plan, at a minimum, shall consist of a map of the district showing the location of all facilities owned by the district or leased for a period exceeding five years and a narrative describing the district's:

- 1) Current permanent facilities where additions are planned.
- 2) General plans for future site acquisition or acquisition/construction of permanent facilities either on the primary site or secondary sites. The location may be identified in terms of the general geographic area within the district.
- 3) Proposed schedule for acquiring additional sites, constructing additions to existing facilities, or acquiring/constructing new permanent facilities.
- 4) The intended use of all proposed site acquisitions and facility acquisition/construction.
- d) The authority to approve locally funded projects is delegated to the President/CEO Executive-Director of the ICCB, who shall in turn report such actions to the ICCB.

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

(Source: Amended MAY 18 2001 at 25 Ill. Reg. 7161, effective MAY 18 2001.)

## Section 1501.604 Locally Funded Capital Projects

a) All locally funded capital projects shall meet the same codes or standards listed in Section 1501.603(f)(2).

b) Requests for ICCB approval of locally funded capital projects shall be submitted using forms prescribed by the ICCB. All locally funded capital projects shall receive prior ICCB approval except those meeting any one of the following criteria:

- 1) A project which meets the definition of a maintenance project as specified in Section 1501.601.
- 2) A project which does not create a change in room use.
- 3) A project which is less than \$250,000 \$257000 regardless of the work being performed.

c) Requests for ICCB approval of locally funded capital projects shall be submitted to the ICCB according to the following criteria:

- 1) All capital projects other than those excluded in Section 1501.604(b) require ICCB approval during the design phase of the project.
- 2) Capital projects estimated to cost in excess of \$2.5 million shall be reported to the ICCB following a project needs assessment.
- 3) The final budget and scope of the project shall be reported to the ICCB after bids are received but before contracts are awarded. If the budget or scope exceeds that approved by the ICCB, the project shall be resubmitted for approval.

d) Application Criteria for New Construction Projects at the Primary Site. Applications for new construction projects submitted to the ICCB and shall have attached to them the following:

- 1) A copy of the resolution or motion passed by the local board of trustees approving the budget and scope of the project.
- 2) A statement identifying the source of local funds for the project.
- 3) For primary sites, certification shall be provided that a suitable construction site is available. Suitability is determined through a site feasibility study. The feasibility study shall address, at a minimum, the following:
  - A) The location of the site in relation to geography and population of the entire district and its relation to sites of the district's other colleges, community college facilities in other contiguous districts, and other higher education facilities in contiguous districts.
  - B) The impact on the surrounding environment, including the effect of increased traffic flow.
  - C) Accessibility to the site by existing and planned highways and/or streets.

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

- D) Cost of development of the site in relation to topography, soil condition, and utilities.
- E) Size of the proposed site in relation to projected student population (as determined by census data) and land cost.
- F) The number, location, and characteristics (types of terrain, geography, roadway access, and suitability of the site for building purposes) of alternative sites considered.
- 4) Requests for primary site acquisition shall include three appraisals of the property.
- 5) Evidence of need for the space requested shall be provided either on a general enrollment basis as specified in Section 1501.603(e)(4)(C) or a specific program need basis as specified in Section 1501.603(e)(4)(D).
- 6) The project shall be within the mission of a community college as set forth in Section 1-2(e) of the Act.
- e) Application Criteria for Projects Funded in Accordance with Section 3-37 of the Act. In addition to the above, applications for projects proposed for funding in accordance with Section 3-37 of the Act must include:
- 1) A copy of the proposed lease agreement showing that income is sufficient to pay the costs of constructing or acquiring and operating and maintaining the facility for the life of the installment loan arrangement entered into by the college.
  - 2) A copy of the loan arrangement entered into by the college showing the installment costs to be incurred by the college.
  - 3) Any other agreement between the college and another group which commits funds toward the project by that group.
- f) Application Criteria for Remodeling and Rehabilitation Projects. Projects to remodel and rehabilitate a facility shall require submittal of the following:
- 1) A copy of the resolution or motion passed by the local board of trustees approving the budget and scope of the project.
  - 2) A statement identifying the source of local funds for the project.
  - 3) A summary detailing the effects of the remodeling on space usage (classrooms, laboratories, offices...).
  - 4) A justification statement regarding the need to remodel.
- g) Application Criteria for Secondary Site Projects. Projects for the acquisition/construction of a new site and/or structure for purposes other than a primary site facility and projects for acquisition of sites and/or structures adjacent to the primary site shall require submittal of the following:
- 1) A resolution by the local board of trustees stating that:
    - A) Funds are available to procure the site.
    - B) The programs offered have been approved by the ICCB and IBHE or approval of these stated programs by those boards is pending.
  - 2) Copies of at least two appraisals of the property.

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 3) Verification that the condition of the facility is not a threat to public safety. This shall include tests of structural integrity, asbestos, toxic materials, underground storage tanks, and other hazardous conditions. (Findings regarding the existence of these hazards shall not preclude the procurement of the site/structure but the knowledge of the hazardous condition and any costs incurred in correcting the condition shall be incorporated into the total cost of procuring the facility.)
- 4) Identification of the location of the site and its relationship to the main campus, community college facilities in other contiguous districts, and other higher education facilities in contiguous districts.
- 5) Identification of all estimated costs associated with the purchase and any subsequent construction and/or rehabilitation of the site/structure.
- h) Construction projects for use by the college which are financed in whole or in part by college foundations are to be submitted for ICCB approval as locally funded projects.

(Source: Amended at 25 Ill. Reg. 7161 --, effective MAY 18 )



## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: General Administrative Provisions

2) Code Citation: 89 Ill. Adm. Code 10

3) Section Numbers:  
10.410 Adopted Action:  
10.415 Amendment  
Amendment

4) Statutory Authority: Implementing Article I through IX and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. I through IX and 12-13].

5) Effective Date of Amendments: May 24, 2001

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? No

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: February 2, 2001 (25 Ill. Reg. 1898)

10) Has JCAR Issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: No substantive changes were made in the text of the proposed amendments.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will these amendments replace emergency amendments currently in effect? No

14) Are there any amendments pending on this Part: No

15) Summary and Purpose of Rulemaking: These adopted amendments revise the application for assistance provisions.

16) Information and questions regarding these adopted amendments shall be directed to: Mrs. Susan Weir, Bureau Chief  
Bureau of Administrative Rules 217/785-9772  
and Procedures  
Department of Human Services  
100 S. Grand Avenue E. 3rd Fl, Harris Bldg.  
Springfield, Illinois 62762

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

The full text of adopted amendments begins on the next page:

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES  
SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

## PART 10

## GENERAL ADMINISTRATIVE PROVISIONS

## SUBPART A: APPLICABILITY AND DEFINITIONS

## Section

- 10.101 Incorporation by Reference  
10.110 Applicability  
10.120 Definitions  
10.130 Assistance Programs  
10.140 Assistance Program Restrictions

## SUBPART B: RIGHTS AND RESPONSIBILITIES

## Section

- 10.210 Rights of Clients  
10.220 Nondiscrimination  
10.225 Grievance Rights of Clients  
10.230 Confidentiality of Case Information  
10.235 Case Records  
10.250 Reporting Change of Circumstances  
10.263 Reporting Child Abuse/Neglect  
10.268 Reporting Elder Abuse/Neglect  
10.270 Notice to Client  
10.280 Right to Appeal  
10.281 Continuation of Assistance Pending Appeal  
10.282 Time Limit for Filing an Appeal  
10.283 Examining Department Records  
10.284 Child Care  
10.290 Voluntary Repayment of Assistance  
10.295 Correction of Underpayments  
10.300 Recovery of Assistance  
10.310 Estate Claims  
10.320 Real Property Liens  
10.330 Filing and Renewal of Liens  
10.340 Foreclosure of Liens  
10.350 Release of Liens  
10.360 Personal Injury Claims  
10.370 Convictions of Fraud - Eligibility  
10.380 Single Conviction of Fraud - Administrative Review Board

## SUBPART C: APPLICATION PROCESS

## Section

- 10.410 Application for Assistance  
10.415 Local Office Action on Application for Public Assistance

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 10.420 Time Limitations on the Disposition of an Application  
10.430 Approval of an Application and Initial Authorization of Financial Assistance  
10.438 General Assistance Approval Provisions  
10.440 Denial of an Application

AUTHORITY: Implementing Articles I through IX and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IX and 12-13].

SOURCE: Emergency rules adopted at 21 Ill. Reg. 9515, effective July 1, 1997, for a maximum of 150 days; adopted at 21 Ill. Reg. 15515, effective November 26, 1997; amended at 22 Ill. Reg. 19816, effective November 1, 1998; amended at 23 Ill. Reg. 6944, effective June 1, 1999; amended at 24 Ill. Reg. 7856, effective May 16, 2000; amended at 24 Ill. Reg. 18153, effective November 30, 2000; amended at 25 Ill. Reg. 7170, effective MAY 2 1 2001.

## SUBPART C: APPLICATION PROCESS

## Section 10.410 Application for Assistance

- a) An application is a signed request for assistance on a Department of Human Services (Department) form which has been completed to the best of the client's knowledge and ability.
- b) The application must contain a name, address, and signature (or signatures). If the application does not contain a name, address, and signature (or signatures), the local office shall return the application to the sender to obtain the missing information. ~~The application--must contain an original signature or signatures--if the local office shall return the application to the sender to obtain the original signature or signatures.~~
- 1) If a person is homeless, he or she may use the address of a friend or relative, supervised shelter, church, halfway house, or similar facility.
- 2) If a person is homeless and does not have a permanent address, he or she may use the address of the local office that is closest to where he or she is living.
- c) The application must be signed by the applicant with the following exceptions:
- 1) When a conservator has been appointed for the applicant, the conservator must sign the application.
  - 2) When the applicant is physically or mentally unable to sign the application, the application may be signed by someone acting responsibly on behalf of the applicant.
  - 3) When application is made on behalf of a child, the child's caretaker must sign the application.
  - 4) When the applicant has appointed an authorized representative with the Department. (An authorized representative is a person



DEPARTMENT OF HUMAN SERVICES  
NOTICE OF ADOPTED AMENDMENTS

pursuant to the laws and regulations of the State and Federal government. A signed ~~original~~ application form on which the person indicates whether he or she wants to apply for food stamps or any other programs that the Department may offer at any given time constitutes the person's written statement.

(Source: ~~Amended~~ at 25 Ill. Reg. 7170, effective MAY 24 1980)

DEPARTMENT OF HUMAN SERVICES  
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- d) authorized by the applicant to act on his or her behalf.)
- d) Application for medical assistance may be made on behalf of a deceased person. In order for payment to be made by the Department for the funeral and burial expenses of the decedent, the completed application must be received in the local office not more than 30 calendar days after the individual's death, excluding the day on which death occurred, unless delay in receipt of the form occurred through no fault of the individual applying.
- e) The applicant may be assisted by the Department and by individuals of the applicant's choice in completing the application.
- f) The date of application shall be the date a completed ~~original~~ application is received by the local office serving the area of the State in which the applicant lives, with the following exceptions: ~~with one exception: for applications completed by pregnant women and children under age 18 at a disproportionate share hospital or federally-qualified health center, the date the application is signed by the applicant shall be the date of application.~~
- ~~1) For applications completed by pregnant women and children under age 18 at a disproportionate share hospital or federally-qualified health center, the date the application is signed by the applicant shall be the date of application.~~
- ~~2) When an application is faxed to a local office after 5:00 P.M. on a workday, or on a weekend or holiday, the application date is the next workday following the date the application is received in the local office.~~

(Source: ~~Amended~~ at 25 Ill. Reg. 7170, effective MAY 24 1980)

Section 10.415 Local Office Action on Application for Public Assistance

Upon a person's making application for public assistance at a local office, the local office shall consider that person's eligibility for all forms of public assistance according to the appropriate eligibility rules for assistance programs, unless the person has indicated in writing that he or she does not want to apply for certain programs. A signed ~~original~~ application form on which the person indicates the program or programs for which he or she does or does not want to apply constitutes the person's written statement. The words "public assistance" constitute the assistance provided by the Department or DPA as specified in Articles III, IV, V, and VI of the Public Aid Code, namely Aid to the Aged, Blind and Disabled, Temporary Assistance for Needy Families, Refugee Assistance program, the Department of Public Aid's Medical Programs and General Assistance (where administered by the Department). Upon a person's making application for public assistance at a local office, the local office shall also consider that person's eligibility for the United States Department of Agriculture's Food Stamp ~~food--stamp~~ Program (unless the applicant has indicated in writing that he or she does not want food stamps) and for such other programs as the Department may from time to time be administering

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

1) Heading of Part: Personal Information Privacy Protection

2) Code Citation: 50 Ill. Adm. Code 4002

3) Section Number: Adopted Action:

4002.10 New Section  
 4002.20 New Section  
 4002.30 New Section  
 4002.35 New Section  
 4002.40 New Section  
 4002.50 New Section  
 4002.60 New Section  
 4002.70 New Section  
 4002.80 New Section  
 4002.90 New Section  
 4002.100 New Section  
 4002.110 New Section  
 4002.120 New Section  
 4002.130 New Section  
 4002.140 New Section  
 4002.150 New Section  
 4002.200 New Section  
 4002.210 New Section  
 4002.220 New Section  
 4002.230 New Section  
 4002.235 New Section  
 4002.240 New Section  
 ILLUSTRATION A New Section

4) Statutory Authority: Implementing Article XXVI and Article XL of the Illinois Insurance Code [215 ILCS 5/Arts. XXVI and XL], and Title V of the Gramm-Leach-Bliley Act (15 USC 6801 through 6827) and authorized by Section 401 and Article XL of the Illinois Insurance Code [215 ILCS 5/401 and Art. XL].

5) Effective Date of Part: July 1, 2001

6) Does this Part contain an automatic repeal date? No

7) Does this Part contain incorporations by reference? No

8) A copy of the adopted Part, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: February 2, 2001, 25 Ill. Reg. 1955

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

10) Has JCAR issued a Statement of Objection to this Part? No

11) Differences between proposal and final version:

a) Section 4002.20(a), added the following sentence to the end of this paragraph:

"However, this Part does not apply to 'service contract providers' as defined by the Service Contract Act [215 ILCS 152]."

b) Section 4002.20(b), deleted "Section 4002.100(a)(3) of".

c) Section 4002.30, in the definition of "Consumer", deleted ", if the licensee discloses nonpublic personal financial information about the individual to a nonaffiliated third party other than as permitted under Sections 4002.130, 4002.140 and 4002.150 of this Part".

d) Section 4002.30, in the definition of "Consumer", added as a new paragraph after "An individual who is a consumer of another financial institution is not a licensee's consumer solely because the licensee is acting as agent for, or provides processing or other services to, the financial institution" the following:

"If the licensee discloses nonpublic personal financial information about the individual to a nonaffiliated third party other than as permitted under Section 4002.130, 4002.140 and 4002.150 of this Part; and".

e) Section 4002.30, in the definition of "Consumer", indented one level the remaining paragraphs.

f) Section 4002.40(e)(1), after ";", added "or".

g) Section 4002.40(e)(2), after "delay", added ", as set forth in subsection (f) of this Section,".

h) Section 4002.40(e)(3) changed to be a new subsection (f).

i) Section 4002.40(e)(3), replaced the semicolon with a period and added the following:

"However, providing notice not later than when a licensee establishes a customer relationship would not substantially delay the customer's transaction when the relationship is initiated in person at the licensee's office or through other means by which the customer may view the notice, such as on a web site."

j) Section 4002.40(e)(4) deleted.



## DEPARTMENT OF INSURANCE

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- k) Section 4002.40(f) changed to subsection (g).
- l) Section 4002.60(h)(1), changed "4002.50(a)" to "4002.40(a)(2)".
- m) Section 4002.70(a), changed "4002.100(a)(3)" to "4002.100(a)".
- n) Section 4002.80(b), deleted "it takes one of, but not limited to, the following actions:" and replaced it with "any amendments or changes made to its privacy policies or practices concerning disclosures set forth in the initial notice, or the most recently issued notice, such as:".
- o) Section 4002.90(a)(1)(C), on the last line, deleted "or" following the semicolon.
- p) Section 4002.90(a)(1)(D), deleted the period and added "; or" in lieu thereof.
- q) Section 4002.90(a)(1), added a new subsection as follows:
- "E) By electronic mail or posting, if the consumer agrees to receive notice by electronic means and the consumer acknowledges receipt of the notice."
- r) Section 4002.90(a)(2)(B), deleted "obtain an insurance product or service from the licensee electronically, unless the consumer has" and changed "agreed" to "agree".
- s) Section 4002.90(d)(1), changed "4002.40(a)(1)" to "4002.40(a)".
- t) Section 4002.90, added a new subsection as follows:
- "g) Illinois Supreme Court Rule 236 would be applicable in cases of dispute concerning the delivery of notices required pursuant to this Part."
- u) Section 4002.150(a)(1), changed "4002.70(h)" to "4002.70(i)".
- v) Section 4002.240, added the following as the third sentence:
- "However, Sections 4002.40 and 4002.50 will become effective upon the first renewal for a customer who was a customer prior to July 1, 2001."
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these rules replace emergency rules currently in effect? No

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This adopted rulemaking creates a regulatory framework by which the regulated community should be in compliance with the provisions of the Gramm-Leach-Bliley Act as well as other states' laws concerning privacy of financial information that have adopted the National Association of Insurance Commissioners (NAIC) Model Act concerning privacy. Specifically, the adopted rulemaking sets forth the prohibitions of sharing non-public financial information with a non-affiliated third party and provides notice requirements to the consumer of the regulated entity's privacy policies and practices concerning such information.

- 16) Information and questions regarding this adopted rulemaking shall be directed to:

Chuck Feinen  
Staff Attorney  
Department of Insurance  
320 West Washington  
Springfield Illinois 62767-0001  
(217) 557-1396

The full text of the adopted rules begins on the next page:

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER tt: INSURANCE INFORMATION AND PRIVACY PROTECTION

PART 4002

PERSONAL INFORMATION PRIVACY PROTECTION

Section	Purpose
4002.10	Applicability
4002.20	Definitions
4002.30	Treatment of Individual's Information Under Group Policies
4002.35	Initial Privacy Notice to Consumers
4002.40	Annual Privacy Notice to Customers
4002.50	Information to be Included in Privacy Notices
4002.60	Form of Opt Out Notice to Consumers and Opt Out Methods
4002.70	Revised Privacy Notices
4002.80	Delivery of Notices
4002.90	Limits on Disclosure of Nonpublic Personal Financial Information to Nonaffiliated Third Parties
4002.100	Limits on Redisclosure and Reuse of Nonpublic Personal Financial Information
4002.110	Limits on Sharing Account Number Information for Marketing Purposes
4002.120	Exception to Opt Out Requirements for Disclosure of Nonpublic Personal Financial Information for Service Providers and Joint Marketing
4002.130	Exceptions to Notice and Opt Out Requirements for Disclosure of Nonpublic Personal Financial Information for Processing and Servicing Transactions
4002.140	Other Exceptions to Notice and Opt Out Requirements for Disclosure of Nonpublic Personal Financial Information
4002.150	Nondiscrimination
4002.200	Enforcement
4002.210	Penalty
4002.220	Severability
4002.230	Protection of Fair Credit Reporting Act
4002.240	Effective Date

ILLUSTRATION A Sample Clauses

AUTHORITY: Implementing Article XXVI and Article XL of the Illinois Insurance Code [215 ILCS 5/Arts. XXVI and XL], and Title V of the Gramm-Leach-Bliley Act (15 USC 6801 through 6827) and authorized by Section 401 and Article XL of the Illinois Insurance Code [215 ILCS 5/401 and Art. XL].

SOURCE: Adopted at 25 Ill. Reg. 7176, effective JUL 6 1 2004.

Section 4002.20 Applicability

- a) This Part applies to all licensees, companies, and other persons licensed or required to be licensed, or authorized or required to be authorized, or registered or required to be registered, or domiciled pursuant to the Illinois Insurance Code or any other Act of Chapter 215 of the Illinois Compiled Statutes. This Part also applies to unauthorized insurers or companies who accept business placed through a licensed surplus line producer in this State, but only in regard to the surplus line transactions placed pursuant to Section 445 of the Illinois Insurance Code [215 ILCS 5/445]. However, this Part does not apply to "service contract providers" as defined by the Service Contract Act [215 ILCS 152].
- b) A licensee is not subject to the notice and opt out requirements for nonpublic personal financial information set forth in this Part if the licensee is an employee, agent or other representative of another licensee ("the principal") and:
- 1) The principal otherwise complies with, and provides the notices required by, the provisions of this Part; and
  - 2) The licensee does not disclose any nonpublic personal financial information to any person other than the principal or its affiliates in a manner permitted by this Part.
- c) Any person or company conducting transactions pursuant to Section 445 of the Illinois Insurance Code [215 ILCS 5/445] shall be in compliance with the notice and opt out requirements for nonpublic personal financial information set forth in this Part provided:
- 1) The person or company conducting transactions pursuant to Section 445 of the Illinois Insurance Code does not disclose nonpublic personal information of a consumer or a customer to nonaffiliated third parties for any purpose, including joint servicing or marketing under Section 4002.130 of this Part, except as permitted by Section 4002.140 or 4002.150 of this Part; and
  - 2) The person or company conducting transactions pursuant to Section 445 of the Illinois Insurance Code delivers a notice to the consumer at the time a customer relationship is established on which the following is printed in 16-point type and is clear and conspicuous:

PRIVACY NOTICE



## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

NEITHER THE U.S. BROKERS THAT HANDLED THIS INSURANCE NOR THE INSURERS THAT HAVE UNDERWRITTEN THIS INSURANCE WILL DISCLOSE NONPUBLIC PERSONAL INFORMATION CONCERNING THE BUYER TO NONAFFILIATES OF THE BROKERS OR INSURERS EXCEPT AS PERMITTED BY LAW.

**Section 4002.30 Definitions**

Unless otherwise defined by this Part the terms used in this Part shall have the same meaning as given by the Illinois Insurance Code [215 ILCS 5].

Affiliate means any company that controls, is controlled by, or is under common control with another company.

Clear and Conspicuous means that a notice is reasonably understandable and designed to call attention to the nature and significance of the information in the notice.

A licensee makes its notice reasonably understandable if it:

Presents the information in a written notice in clear, concise sentences, paragraphs, and sections;

Uses short explanatory sentences or bullet lists whenever possible;

Uses definite, concrete, everyday words and active voice whenever possible;

Avoids multiple negatives;

Avoids legal and highly technical business terminology whenever possible; and

Avoids explanations that are imprecise and readily subject to different interpretations.

A licensee designs its notice to call attention to the nature and significance of the information in it if the licensee:

Uses a plain-language heading to call attention to the notice; uses a typeface and type size that are easy to read;

Provides wide margins and ample line spacing; uses boldface or italics for key words; and

In a form that combines the licensee's notice with other information, uses distinctive type size, style, and graphic

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devices, such as shading or sidebars.

If a licensee provides a notice on a web page, the licensee designs its notice to call attention to the nature and significance of the information in it if the licensee:

Uses text or visual cues to encourage scrolling down the page if necessary to view the entire notice;

Ensures that other elements on the web site (such as text, graphics, hyperlinks or sound) do not distract attention from the notice; and

Either:

Places the notice on a screen that consumers frequently access, such as a page on which transactions are conducted; or

Places a link on a screen that consumers frequently access, such as a page on which transactions are conducted, that connects directly to the notice and is labeled appropriately to convey the importance, nature and relevance of the notice.

Code means the Illinois Insurance Code [215 ILCS 5].

Collect means to obtain information that the licensee organizes or can retrieve by the name of an individual or by identifying number, symbol or other identifying particular assigned to the individual, irrespective of the source of the underlying information.

Company means a person, corporation, limited liability company, business trust, general or limited partnership, association, sole proprietorship or similar organization.

Consumer means an individual who seeks to obtain, obtains or has obtained an insurance product or service from a licensee that is to be used primarily for personal, family or household purposes, and about whom the licensee has nonpublic personal information, or that individual's legal representative. An individual is not a licensee's consumer solely because he or she is a beneficiary of a trust for which the licensee is a trustee or solely because he or she has designated the licensee as trustee for a trust. Consumer includes, but is not limited to, the following:

An individual who provides nonpublic personal information to a licensee in connection with obtaining or seeking to obtain

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financial, investment or economic advisory services relating to an insurance product or service is a consumer regardless of whether the licensee establishes an ongoing advisory relationship;

An applicant for insurance prior to the inception of insurance coverage is a licensee's consumer;

An individual who is a consumer of another financial institution is not a licensee's consumer solely because the licensee is acting as agent for, or provides processing or other services to, that financial institution;

If the licensee discloses nonpublic personal financial information about the individual to a nonaffiliated third party other than as permitted under Sections 4002.130, 4002.140 and 4002.150 of this Part; and

An individual who is a beneficiary of a life insurance policy underwritten by the licensee is a consumer;

An individual who is an insured or an annuitant under an insurance policy or an annuity, respectively, issued by the licensee is a consumer; and

An individual who is a mortgagor of a mortgage covered under a mortgage insurance policy is a consumer.

Consumer Reporting Agency means the same as in Section 603(f) of the federal Fair Credit Reporting Act (15 USC 1681a(f)).

## Control means:

Ownership, control or power to vote 25% or more of the outstanding shares of any class of voting security of the company, directly or indirectly, or acting through one or more other persons;

Control in any manner over the election of a majority of the directors, trustees or general partners (or individuals exercising similar functions) of the company;

Control by contract or agreement of any person that is designated as an attorney-in-fact for a Lloyd's Plan insurer as set forth in Article V of the Code [215 ILCS 5/Art. V] or for a reciprocal or interinsurance exchange as set forth in Article V 1/2 [215 ILCS 5/Art. V 1/2]; or

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The power to exercise, directly or indirectly, a controlling influence over the management or policies of the company, as the Director determines.

Customer means a consumer who has a customer relationship with a licensee.

Customer Relationship means a continuing relationship between a consumer and a licensee under which the licensee provides one or more insurance products or services to the consumer that are to be used primarily for personal, family or household purposes, which includes, but is not limited to, the following:

The consumer is a current policyholder of an insurance product issued by or through the licensee; or

The consumer obtains financial, investment or economic advisory services relating to an insurance product or service from the licensee for a fee.

A consumer does not have a continuing relationship with a licensee if:

The consumer applies for insurance but does not purchase the insurance;

The licensee sells the consumer airline travel insurance in an isolated transaction;

The individual is no longer a current policyholder of an insurance product or no longer obtains insurance services with or through the licensee;

The consumer is a beneficiary or claimant under a policy and has submitted a claim under a policy choosing a settlement option involving an ongoing relationship with the licensee and is not a current policyholder;

The consumer is a beneficiary or a claimant under a policy and has submitted a claim under that policy choosing a lump sum settlement option and is not a current policyholder;

The customer's policy is lapsed, expired, or otherwise inactive or dormant under the licensee's business practices, and the licensee has not communicated with the customer about the relationship for a period of 12 consecutive months, other than annual privacy notices, material required by law or regulation, communication at the direction of a state or federal authority, or promotional materials;



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The individual is an insured or an annuitant under an insurance policy or annuity, respectively, but is not the policyholder or owner of the insurance policy or annuity; or

For the purposes of this Part, the individual's last known address according to the licensee's records is deemed invalid. An address of record is deemed invalid if mail sent to that address by the licensee has been returned by the postal authorities as undeliverable and if subsequent attempts by the licensee to obtain a current valid address for the individual have been unsuccessful.

Director means the Director of the Illinois Department of Insurance.

Financial Institution means any institution the business of which is engaging in activities that are financial in nature or incidental to such financial activities as described in Section 4(k) of the Bank Holding Company Act of 1956 (12 USC 1843(k)), but does not include:

Any person or entity with respect to any financial activity that is subject to the jurisdiction of the Commodity Futures Trading Commission under the Commodity Exchange Act (7 USC 1);

The Federal Agricultural Mortgage Corporation or any entity charged and operating under the Farm Credit Act of 1971 (12 USC 2001); or

Institutions chartered by Congress specifically to engage in securitizations, secondary market sales (including sales of servicing rights) or similar transactions related to a transaction of a consumer, as long as the institutions do not sell or transfer nonpublic personal information to a nonaffiliated third party.

Financial Product or Service means any product or service that a financial holding company could offer by engaging in an activity that is financial in nature or incidental to such a financial activity under Section 4(k) of the Bank Holding Company Act of 1956 (12 USC 1843(k)), which includes a financial institution's evaluation or brokerage of information that the financial institution collects in connection with a request or an application from a consumer for a financial product or service.

Insurance Product or Service means any product or service that is offered by a licensee pursuant to the insurance laws of this State, including a licensee's evaluation, brokerage or distribution of information that the licensee collects in connection with a request or an application from a consumer for a insurance product or service.

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Licensee means all insurers, insurance producers, and other persons licensed or required to be licensed, or authorized or required to be authorized, or registered or required to be registered, or domiciled pursuant to the Illinois Insurance Code or any other Act of Chapter 215 of the Illinois Compiled Statutes. Licensee shall also include unauthorized insurers who accept business placed through a licensed surplus line producer in this State, but only in regard to the surplus line placements placed pursuant to Section 445 of the Illinois Insurance Code [215 ILCS 5/445].

Nonaffiliated Third Party means any company or person, except a licensee's affiliate or a person employed jointly by a licensee and any company that is not the licensee's affiliate (but nonaffiliated third party includes the other company that jointly employs the person), which includes, but is not limited to, any company that is an affiliate solely by virtue of the direct or indirect ownership or control of the company by the licensee or its affiliate in conducting merchant banking or investment banking activities of the type described in Section 4(k)(4)(H) or insurance company investment activities of the type described in Section 4(k)(4)(I) of the federal Bank Holding Company Act (12 USC 1843(k)(4)(H) and (I)).

Nonpublic Personal Financial Information means personally identifiable financial information and any list, description or other grouping of consumers (and publicly available information pertaining to them) that is derived using any personally identifiable financial information that is not publicly available; but does not include: health information; publicly available information, except as any list, description or other grouping of consumers (and publicly available information pertaining to them) that is derived using any personally identifiable financial information that is not publicly available; or any list, description or other grouping of consumers (and publicly available information pertaining to them) that is derived without using any personally identifiable financial information that is not publicly available. Any list of individuals' names and addresses that contains only publicly available information, is not derived in whole or in part using personally identifiable financial information that is not publicly available, and is not disclosed in a manner that indicates that any of the individuals on the list is a consumer of a financial institution is not nonpublic personal financial information.

Opt Out means a direction by the consumer that the licensee not disclose nonpublic personal financial information about that consumer to a nonaffiliated third party, other than as permitted by Sections 4002.130, 4002.140 and 4002.150 of this Part.

Person means any natural person, corporation, association, partnership or other legal entity.



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Personally Identifiable Financial Information means, including but not limited to: any information that a consumer provides to a licensee to obtain an insurance product or service from the licensee; account balance information and payment history; that an individual is or has been one of the licensee's customers or has obtained an insurance product or service from the licensee; any information about the licensee's consumer if it is disclosed in a manner that indicates that the individual is or has been the licensee's consumer; any information that a consumer provides to a licensee or that the licensee or its agent otherwise obtains in connection with collecting on a loan or servicing a loan; any information the licensee collects through an Internet cookie (an information-collecting device from a web server); information from a consumer report; information about a consumer resulting from a transaction involving an insurance product or service between a licensee and a consumer; or information the licensee otherwise obtains about a consumer in connection with providing an insurance product or service to that consumer, except health information; names and addresses of customers of an entity that is not a financial institution; and information that does not identify a consumer, such as aggregate information or blind data that does not contain personal identifiers such as account numbers, names or addresses.

**Publicly Available** Information means any information that a licensee has a reasonable basis to believe is lawfully made available to the general public from:

Federal, state or local government records, including information in government real estate records and security interest filings;

Widely distributed media, including information from a telephone book, a television or radio program, a newspaper or a web site that is available to the general public on an unrestricted basis. A web site is not restricted merely because an Internet service provider or a site operator requires a fee or a password, so long as access is available to the general public; or

Disclosures to the general public that are required to be made by federal, state or local law.

**Reasonable Basis** means that a licensee believes that information is lawfully made available to the general public and that the licensee has taken steps to determine:

That the information is of the type that is available to the general public, such as a telephone number found in a telephone book or if the consumer states that the number is listed, or is the type of information that is included on a public record; and

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Whether an individual can direct that the information not be made available to the general public and, if so, that the licensee's consumer has not done so.

### Section 4002.35 Treatment of Individual's Information Under Group Policies

- a) Provided that the licensee provides the initial, annual and revised notices under Sections 4002.40, 4002.50 and 4002.80 of this Part to the plan sponsor, group or blanket insurance policyholder or group annuity contract holder and further provided that the licensee does not disclose to a nonaffiliated third party nonpublic personal financial information about such an individual other than as permitted under Sections 4002.130, 4002.140 and 4002.150 of this Part, an individual is not the consumer of the licensee solely because he or she is:
  - 1) A participant or a beneficiary of an employee benefit plan that the licensee administers or sponsors or for which the licensee acts as a trustee, insurer or fiduciary; or
  - 2) Covered under a group or blanket insurance policy or group annuity contract issued by the licensee.
- b) The individuals described in subsection (a) of this Section are consumers of a licensee if the licensee does not meet all the conditions of subsection (a) of this Section.
- c) In no event shall the individuals, solely by virtue of the status described in subsection (a) of this Section, be deemed to be consumers for purposes of this Part.

### Section 4002.40 Initial Privacy Notice to Consumers

- a) Initial notice requirement. A licensee shall provide a clear and conspicuous notice that accurately reflects its privacy policies and practices to:
  - 1) Customer. An individual who becomes the licensee's customer, not later than when the licensee establishes a customer relationship, except as provided in subsection (e) of this Section; and
  - 2) Consumer. A consumer, before the licensee discloses any nonpublic personal financial information about the consumer to any nonaffiliated third party, if the licensee makes a disclosure other than as authorized by Sections 4002.140 and 4002.150 of this Part.
- b) When initial notice to a consumer is not required. A licensee is not required to provide an initial notice to a consumer under subsection (a)(2) of this Section if:
  - 1) The licensee does not disclose any nonpublic personal financial information about the consumer to any nonaffiliated third party, other than as authorized by Sections 4002.140 and 4002.150 of this Part, and the licensee does not have a customer relationship with the consumer as set forth in subsection (c) of this Section;



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- or
- 2) A notice has been provided by an affiliated licensee, as long as the notice clearly identifies all licensees to whom the notice applies and is accurate with respect to the licensee and the other institutions.
- c) A licensee establishes a customer relationship at the time the licensee and the consumer enter into a continuing relationship, such as when the consumer:
- 1) Becomes a policyholder of a licensee that is an insurer when the insurer delivers an insurance policy or contract to the consumer, is covered under Health Maintenance Organization or broker, or in the case of a licensee that is an insurance producer, obtains insurance through that licensee; or
  - 2) Agrees to obtain financial, economic or investment advisory services relating to insurance products or services for a fee from the licensee.
- d) Existing customers. When an existing customer obtains a new insurance product or service from a licensee that is to be used primarily for personal, family or household purposes, the licensee satisfies the initial notice requirements of subsection (a) of this Section as follows:
- 1) The licensee may provide a revised policy notice, under Section 4002.80 of this Part, that covers the customer's new insurance product or service; or
  - 2) If the initial, revised or annual notice that the licensee most recently provided to that customer was accurate with respect to the new insurance product or service, the licensee does not need to provide a new privacy notice under subsection (a) of this Section.
- e) Exceptions to allow subsequent delivery of notice.
- A licensee may provide the initial notice required by subsection (a)(1) of this Section within a reasonable time after the licensee establishes a customer relationship if:
- 1) Establishing the customer relationship is not at the customer's election (i.e., if a licensee acquires or is assigned a customer's policy from another financial institution or residual market mechanism and the customer does not have a choice about the licensee's acquisition or assignment); or
  - 2) Providing notice not later than when the licensee establishes a customer relationship would substantially delay, as set forth in subsection (f) of this Section, the customer's transaction and the customer agrees to receive the notice at a later time.
- f) Substantial delay of customer's transaction. Providing notice not later than when a licensee establishes a customer relationship would substantially delay the customer's transaction when the licensee and the individual agree over the telephone to enter into a customer relationship involving prompt delivery of the insurance product or service. However, providing notice not later than when a licensee

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establishes a customer relationship would not substantially delay the customer's transaction when the relationship is initiated in person at the licensee's office or through other means by which the customer may view the notice, such as on a web site.

- g) Delivery. When a licensee is required to deliver an initial privacy notice by this Section, the licensee shall deliver it according to Section 4002.90 of this Part. If the licensee uses a short-form initial notice for non-customers according to Section 4002.60(h) of this Part, the licensee may deliver its privacy notice according to Section 4002.60(h)(3) of this Part.

## Section 4002.50 Annual Privacy Notice to Customers

- a) A licensee shall provide a clear and conspicuous notice to customers that accurately reflects its privacy policies and practices not less than annually during the continuation of the customer relationship. Annually means at least once in any period of 12 consecutive months during which that relationship exists. A licensee may define the 12-consecutive-month period, but the licensee shall apply it to the customer on a consistent basis. If a licensee defines the 12-consecutive-month period as a calendar year and a customer opens an account on any day of year 1, the licensee shall provide an annual notice to that customer by December 31 of year 2.
- b) Termination of customer relationship. A licensee is not required to provide an annual notice to a former customer. For the purposes of this Part a former customer is an individual with whom a licensee no longer has a continuing relationship, which includes, but is not limited to, when:
- 1) The individual no longer is a current policyholder of an insurance product or no longer obtains insurance services with or through the licensee;
  - 2) The individual's policy is lapsed, expired or otherwise inactive or dormant under the licensee's business practices, and the licensee has not communicated with the customer about the relationship for a period of 12 consecutive months, other than to provide annual privacy notices, material required by law or regulation, or promotional materials;
  - 3) The individual's last known address according to the licensee's records is deemed invalid. An address of record is deemed invalid if mail sent to that address by the licensee has been returned by the postal authorities as undeliverable and if subsequent attempts by the licensee to obtain a current valid address for the individual have been unsuccessful; or
  - 4) In the case of providing real estate settlement services, at the time the customer completes execution of all documents related to the real estate closing, payment for those services has been received, or the licensee has completed all of its responsibilities with respect to the settlement, including filing



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c) documents on the public record, whichever is later.  
 Delivery. When a licensee is required by this Section to deliver an annual privacy notice, the licensee shall deliver it according to Section 4002.90 of this Part.

d) Affiliated Licensee. Such annual notice may be provided by an affiliated licensee, as long as the notice clearly identifies all licensees to which the notice applies or states that it applies to all affiliates of the named licensee, and is accurate with respect to the licensee and other institutions and would otherwise meet the requirements of this Part.

**Section 4002.60 Information to be Included in Privacy Notices**

a) The initial, annual and revised privacy notices that a licensee provides under Sections 4002.40, 4002.50 and 4002.80 of this Part shall include each of the following items of information, in addition to any other information the licensee wishes to provide, that applies to the licensee and to the consumers to whom the licensee sends its privacy notice:

1) The categories of nonpublic personal financial information that the licensee collects, which may include, but are not limited to, the following:

- A) Information from the consumer;
- B) Information about the consumer's transactions with the licensee or its affiliates;
- C) Information about the consumer's transactions from nonaffiliated third parties; and
- D) Information from a consumer reporting agency.

2) The categories of nonpublic personal financial information that the licensee discloses, which may include, but are not limited to, the following:

- A) Information from the consumer, including application information, such as assets and income and identifying information, name, address and social security number;
- B) Transaction information, such as information about balances, payment history and parties to the transaction; and
- C) Information from consumer reports, such as a consumer's creditworthiness and credit history.

3) The categories of affiliates and nonaffiliated third parties to whom the licensee discloses nonpublic personal financial information, other than those parties to whom the licensee discloses information under Sections 4002.140 and 4002.150 of this Part. A licensee may satisfy this subsection (a)(3) by categorizing by the types of businesses in which they engage, if the licensee uses a few illustrative examples of significant lines of business such as the term financial products or services and if it includes appropriate examples of significant lines of businesses, such as life insurer, automobile insurer, consumer

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banking or securities brokerage.

4) The categories of nonpublic personal financial information about the licensee's former customers that the licensee discloses and the categories of affiliates and nonaffiliated third parties to whom the licensee discloses nonpublic personal financial information about the licensee's former customers, other than those parties to whom the licensee discloses information under Sections 4002.140 and 4002.150 of this Part;

5) If a licensee discloses nonpublic personal financial information to a nonaffiliated third party under Section 4002.130 of this Part (and no other exception in Sections 4002.140 and 4002.150 of this Part applies to that disclosure), a separate description of the categories of information the licensee discloses and the categories of third parties with whom the licensee has contracted;

6) An explanation of the consumer's right under Section 4002.100(a) of this Part to opt out of the disclosure of nonpublic personal financial information to nonaffiliated third parties, including the methods by which the consumer may exercise that right at that time;

7) Any disclosures that the licensee makes under Section 603(d)(2)(A)(iii) of the Federal Fair Credit Reporting Act (15 USC 1681a(d)(2)(A)(iii)) (that is, notices regarding the ability to opt out of disclosures of information among affiliates);

8) The licensee's policies and practices with respect to protecting the confidentiality and security of nonpublic personal information; and

9) Any disclosure that the licensee makes under subsection (b) of this Section.

b) Description of parties subject to exceptions. If a licensee discloses nonpublic personal financial information as authorized under Sections 4002.140 and 4002.150 of this Part, the licensee is not required to list those exceptions in the initial or annual privacy notices required by Sections 4002.40 and 4002.50 of this Part. When describing the categories of parties to whom disclosure is made, the licensee is required to state only that it makes disclosures to other affiliated or nonaffiliated third parties, as applicable, as permitted by law.

c) A licensee does not adequately categorize the information that it discloses pursuant to subsection (a)(2) of this Section if the licensee uses only general terms, such as transaction information about the consumer.

d) If a licensee reserves the right to disclose all of the nonpublic personal financial information about consumers that it collects, the licensee may simply state that fact without describing the categories or examples of nonpublic personal information that the licensee discloses.

e) Disclosures under exception for service providers and joint marketers.



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If a licensee discloses nonpublic personal financial information under the exception in Section 4002.130 of this Part to a nonaffiliated third party to market products or services that it offers alone or jointly with another financial institution, the licensee satisfies the disclosure requirement of subsection (a)(5) of this Section if it:

- 1) Lists the categories of nonpublic personal financial information it discloses, using the same categories and examples the licensee used to meet the requirements of subsection (a)(2) of this Section, as applicable; and
- 2) States whether the third party is:
  - A) A service provider that performs marketing services on the licensee's behalf or on behalf of the licensee and another financial institution; or
  - B) A financial institution with whom the licensee has a joint marketing agreement.

f) Simplified notices. If a licensee does not disclose, and does not wish to reserve the right to disclose, nonpublic personal financial information about customers or former customers to affiliates or nonaffiliated third parties except as authorized under Sections 4002.140 and 4002.150 of this Part, the licensee may simply state that fact, in addition to the information it shall provide under subsections (a)(1), (a)(8), (a)(9), and (b) of this Section.

g) Confidentiality and security. A licensee describes its policies and practices with respect to protecting the confidentiality and security of nonpublic personal financial information if it does both of the following:

- 1) Describes in general terms who is authorized to have access to the information; and
  - 2) States whether the licensee has security practices and procedures in place to ensure the confidentiality of the information in accordance with the licensee's policy. The licensee is not required to describe technical information about the safeguards it uses.
- h) Short-form initial notice with opt out notice for non-customers.
- 1) A licensee may satisfy the initial notice requirements in Sections 4002.40(a)(2) and 4002.70(e) of this Part for a consumer who is not a customer by providing a short-form initial notice at the same time as the licensee delivers an opt out notice as required in Section 4002.70 of this Part.
  - 2) A short-form initial notice shall:
    - A) Be clear and conspicuous;
    - B) State that the licensee's privacy notice is available upon request; and
    - C) Explain a reasonable means by which the consumer may obtain that notice.
  - 3) The licensee shall deliver its short-form initial notice according to Section 4002.90 of this Part. The licensee is not required to deliver its privacy notice with its short-form

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initial notice. The licensee instead may simply provide the consumer a reasonable means to obtain its privacy notice, which may include, but is not limited to, a toll-free telephone number that the consumer may call to request the notice or for a consumer who conducts business in person at the licensee's office, maintain copies of the notice on hand that the licensee provides to the consumer immediately upon request. If a consumer who receives the licensee's short-form notice requests the licensee's privacy notice, the licensee shall deliver its privacy notice according to Section 4002.90 of this Part.

- i) Future disclosures. The licensee's notice may include:
  - 1) Categories of nonpublic personal financial information that the licensee reserves the right to disclose in the future, but does not currently disclose; and
  - 2) Categories of affiliates or nonaffiliated third parties to whom the licensee reserves the right in the future to disclose, but to whom the licensee does not currently disclose, nonpublic personal financial information.
- j) Sample clauses. Sample clauses illustrating some of the notice content required by this Section are included in Illustration A of this Part.
- k) Affiliated licensee. Such annual notice may be provided by an affiliated licensee, as long as the notice clearly identifies all licensees to which the notice applies or states that it applies to all affiliates of the named licensee, and is accurate with respect to the licensee and other institutions and would otherwise meet the requirements of this Part.

## Section 4002.70 Form of Opt Out Notice to Consumers and Opt Out Methods

- a) Form of opt out notice. If a licensee is required to provide an opt out notice under Section 4002.100(a) of this Part, it shall provide a clear and conspicuous notice to each of its consumers that accurately explains the right to opt out under Section 4002.100 of this Part. The notice shall state:
  - 1) That the licensee discloses or reserves the right to disclose nonpublic personal financial information about its consumer to a nonaffiliated third party;
  - 2) That the consumer has the right to opt out of that disclosure and identifies:
    - A) All of the categories of nonpublic personal financial information that it discloses or reserves the right to disclose, and all of the categories of nonaffiliated third parties to which the licensee discloses the information, as described in Section 4002.60(a)(2) and (3) of this Part, and states that the consumer can opt out of the disclosure of that information; and
    - B) The insurance products or services that the consumer obtains



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from the licensee, either singly or jointly, to which the opt out direction would apply; and

- 3) A reasonable means by which the consumer may exercise the opt out right by providing one of the following:

- A) Designates check-off boxes in a prominent position on the relevant forms with the opt out notice;
- B) Includes a reply form together with the opt out notice;
- C) Provides an electronic means to opt out, such as a form that can be sent via electronic mail or a process at the licensee's web site, if the consumer agrees to the electronic delivery of information; or
- D) Provides a toll-free telephone number that consumers may call to opt out.

- b) A licensee does not provide a reasonable means of opting out pursuant to subsection (a) of this Section if:

- 1) The only means of opting out is for the consumer to write his or her own letter to exercise that opt out right; or
- 2) The only means of opting out as described in any notice subsequent to the initial notice is to use a check-off box that the licensee provided with the initial notice but did not include with the subsequent notice.

- c) A licensee may require each consumer to opt out through a specific means, as long as that means is reasonable for the consumer.

- d) Same form as initial notice permitted. A licensee may provide the opt out notice together with or on the same written or electronic form as the initial notice the licensee provides in accordance with Section 4002.40 of this Part.

- e) Initial notice required when opt out notice delivered subsequent to initial notice. If a licensee provides the opt out notice later than required for the initial notice in accordance with Section 4002.40 of this Part, the licensee shall also include a copy of the initial notice with the opt out notice in writing or, if the consumer agrees, electronically.

- f) Joint relationships.

- 1) If 2 or more consumers jointly obtain an insurance product or service from a licensee, the licensee may provide a single opt out notice. The licensee's opt out notice shall explain how the licensee will treat an opt out direction by a joint consumer as explained in subsection (f)(5) of this Section.
- 2) Any of the joint consumers may exercise the right to opt out. The licensee may either:

- A) Treat an opt out direction by a joint consumer as applying to all of the associated joint consumers; or
- B) Permit each joint consumer to opt out separately.

- 3) If a licensee permits each joint consumer to opt out separately, the licensee shall permit one of the joint consumers to opt out on behalf of all of the joint consumers.

- 4) A licensee may not require all joint consumers to opt out before

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it implements any opt out direction.

- 5) Example. If John and Mary are both named policyholders on a homeowner's insurance policy issued by a licensee and the licensee sends policy statements to John's address, the licensee may do any of the following, but it shall explain in its opt out notice which opt out policy the licensee will follow:

- A) Send a single opt out notice to John's address, but the licensee shall accept an opt out direction from either John or Mary.

- B) Treat an opt out direction by either John or Mary as applying to the entire policy. If the licensee does so and John opts out, the licensee may not require Mary to opt out as well before implementing John's opt out direction.

- C) Permit John and Mary to make different opt out directions. If the licensee does so:

- i) It shall permit John and Mary to opt out for each other;

- ii) If both opt out, the licensee shall permit both of them to notify it in a single response (such as on a form or through a telephone call); and

- iii) If John opts out and Mary does not, the licensee may only disclose nonpublic personal financial information about Mary, but not about John and not about John and Mary jointly.

- g) Time to comply with opt out. A licensee shall comply with a consumer's opt out direction as soon as reasonably practicable after the licensee receives it.

- h) Continuing right to opt out. A consumer may exercise the right to opt out at any time.

- i) Duration of consumer's opt out direction.

- 1) A consumer's direction to opt out under this Section is effective until the consumer revokes it in writing or, if the consumer agrees, electronically.

- 2) When a customer relationship terminates, the customer's opt out direction continues to apply to the nonpublic personal financial information that the licensee collected during or related to that relationship. If the individual subsequently establishes a new customer relationship with the licensee, the opt out direction that applied to the former relationship does not apply to the new relationship.

- j) Delivery. When a licensee is required to deliver an opt out notice by this Section, the licensee shall deliver it according to Section 4002.90 of this Part.

**Section 4002.80 Revised Privacy Notices**

- a) General rule. Except as otherwise authorized in this Part, a licensee shall not, directly or through an affiliate, disclose any nonpublic



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- consumer to acknowledge receipt of the notice as a necessary step to obtaining a particular insurance product or service;
- D) For an isolated transaction with a consumer, such as the licensee providing an insurance quote or selling the consumer travel insurance, posts the notice and requires the consumer to acknowledge receipt of the notice as a necessary step to obtaining the particular insurance product or service; or
- E) By electronic mail or posting, if the consumer agrees to receive notice by electronic means and the consumer acknowledges receipt of the notice.
- 2) A licensee may not, however, reasonably expect that a consumer will receive actual notice of its privacy policies and practices if it, among other methods, provides notice by:
- A) Only posting a sign in its office or generally publishes advertisements of its privacy policies and practices; or
- B) Sending the notice via electronic mail to a consumer who does not agree to accept such notices via electronic mail.
- b) Annual notices only. A licensee may reasonably expect that a customer will receive actual notice of the licensee's annual privacy notice if:
- 1) The customer uses the licensee's web site to access insurance products and services electronically and agrees to receive notices at the web site and the licensee posts its current privacy notice continuously in a clear and conspicuous manner on the web site; or
- 2) The customer has requested that the licensee refrain from sending any information regarding the customer relationship, and the licensee's current privacy notice remains available to the customer upon request.
- c) Oral description of notice insufficient. A licensee may not provide any notice required by this Part solely by orally explaining the notice, either in person or over the telephone.
- d) Retention or accessibility of notices for customers.
- 1) For customers only, a licensee shall provide the initial notice required by Section 4002.40(a) of this Part, the annual notice required by Section 4002.50(a) of this Part, and the revised notice required by Section 4002.80 of this Part, so that the customer can retain them or obtain them later in writing or, if the customer agrees, electronically.
- 2) A licensee provides a privacy notice to the customer so that the customer can retain it or obtain it later if the licensee:
- A) Hand-delivers a printed copy of the notice to the customer;
- B) Mails a printed copy of the notice to the last known address of the customer; or
- C) Makes its current privacy notice available on a web site (or a link to another web site) for the customer who obtains an insurance product or service electronically and agrees to receive the notice at the web site.

- personal financial information about a consumer to a nonaffiliated third party other than as described in the initial notice that the licensee provided to that consumer under Section 4002.40 of this Part, unless:
- 1) The licensee has provided to the consumer a clear and conspicuous revised notice that accurately describes its policies and practices;
- 2) The licensee has provided to the consumer a new opt out notice;
- 3) The licensee has given the consumer a reasonable opportunity, before the licensee discloses the information to the nonaffiliated third party, to opt out of the disclosure; and
- 4) The consumer does not opt out.
- b) Pursuant to subsection (a) of this Section, except as otherwise permitted by Sections 4002.130, 4002.140 and 4002.150 of this Part, a licensee is required to provide a revised notice before any amendments or changes are made to its privacy policies or practices concerning disclosure as set forth in the initial notice, or the most recently issued notice, such as:
- 1) Disclosing a new category of nonpublic personal financial information to any nonaffiliated third party;
- 2) Disclosing nonpublic personal financial information to a new category of nonaffiliated third party; or
- 3) Disclosing nonpublic personal financial information about a former customer to a nonaffiliated third party, if that former customer has not had the opportunity to exercise an opt out right regarding that disclosure.
- c) A revised notice is not required if the licensee discloses nonpublic personal financial information to a new nonaffiliated third party that the licensee adequately described in its prior notice.
- d) Delivery. When a licensee is required to deliver a revised privacy notice by this Section, the licensee shall deliver it according to Section 4002.90 of this Part.
- Section 4002.90 Delivery of Notices**
- a) How to provide notices. A licensee shall provide any notices that this Part requires so that each consumer can reasonably be expected to receive actual notice in writing or, if the consumer agrees, electronically.
- 1) A licensee may reasonably expect that a consumer will receive actual notice if the licensee provides notice by one of, but not limited to, the following methods:
- A) Hand-delivers a printed copy of the notice to the consumer;
- B) Mails a printed copy of the notice to the last known address of the consumer separately, or in a policy, billing or other written communication;
- C) For a consumer who conducts transactions electronically, posts the notice on the electronic site and requires the



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- e) Joint notice with other financial institutions. A licensee may provide a joint notice from the licensee and one or more of its affiliates or other financial institutions, as identified in the notice, as long as the notice is accurate with respect to the licensee and the other institutions. A licensee also may provide a notice on behalf of another financial institution.
- f) Joint relationships. If 2 or more consumers jointly obtain an insurance product or service from a licensee, the licensee may satisfy the initial, annual and revised notice requirements of Sections 4002.40(a), 4002.50(a) and 4002.80(a) of this Part, respectively, by providing one notice to those consumers jointly.
- g) Illinois Supreme Court Rule 236 would be applicable in cases of dispute concerning the delivery of notices required pursuant to this Part.

#### Section 4002.100 Limits on Disclosure of Nonpublic Personal Financial Information to Nonaffiliated Third Parties

- a) Conditions for disclosure. Except as otherwise authorized in this Part, a licensee may not, directly or through any affiliate, disclose any nonpublic personal financial information about a consumer to a nonaffiliated third party unless:
- 1) The licensee has provided to the consumer an initial notice as required under Section 4002.40 of this Part;
  - 2) The licensee has provided to the consumer an opt out notice as set forth in Section 4002.70 of this Part;
  - 3) The licensee has given the consumer a reasonable opportunity, before it discloses the information to the nonaffiliated third party, to opt out of the disclosure; and
  - 4) The consumer does not opt out.
- b) A licensee provides a consumer with a reasonable opportunity to opt out by one of, but not limited to, the following:
- 1) Mail. The licensee mails the notices required in subsection (a) of this Section to the consumer and allows the consumer to opt out by mailing a form, calling a toll-free telephone number or any other reasonable means within 30 days from the date the licensee mailed the notices.
  - 2) Electronic means. A customer opens an on-line account with a licensee and agrees to receive the notices required in subsection (a) of this Section electronically, and the licensee allows the customer to opt out by any reasonable means within 30 days after the date that the customer acknowledges receipt of the notices in conjunction with opening the account.
  - 3) Isolated transaction with consumer. For an isolated transaction such as providing the consumer with an insurance quote, a licensee provides the consumer with a reasonable opportunity to opt out if the licensee provides the notices required in subsection (a) of this Section at the time of the transaction and

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- requests that the consumer decide, as a necessary part of the transaction, whether to opt out before completing the transaction.
- c) Application of opt out to all consumers and all nonpublic personal financial information.
- 1) A licensee shall comply with this Section, regardless of whether the licensee and the consumer have established a customer relationship.
  - 2) Unless a licensee complies with this Section, the licensee may not, directly or through any affiliate, disclose any nonpublic personal financial information about a consumer that the licensee has collected, regardless of whether the licensee collected it before or after receiving the direction to opt out from the consumer.
- d) Partial opt out. A licensee may allow a consumer to select certain nonpublic personal financial information or certain nonaffiliated third parties with respect to which the consumer wishes to opt out.

#### Section 4002.110 Limits on Redisclosure and Reuse of Nonpublic Personal Financial Information

- a) Information the licensee receives under an exception. If a licensee receives nonpublic personal financial information from a nonaffiliated financial institution under an exception in Section 4002.140 or 4002.150 of this Part, the licensee's disclosure and use of that information is limited as follows:
- 1) The licensee may disclose the information to the affiliates of the financial institution from which the licensee received the information;
  - 2) The licensee may disclose the information to its affiliates, but the licensee's affiliates may, in turn, disclose and use the information only to the extent that the licensee may disclose and use the information;
  - 3) The licensee may disclose and use the information pursuant to an exception in Section 4002.140 or 4002.150 of this Part in the ordinary course of business to carry out the activity covered by the exception under which the licensee received the information; and
  - 4) If a licensee receives information from a nonaffiliated financial institution for claims settlement purposes, the licensee may disclose the information for fraud prevention, or in response to a properly authorized subpoena; however, the licensee may not disclose that information to a third party for marketing purposes or use that information for its own marketing purposes.
- b) Information a licensee receives outside of an exception. If a licensee receives nonpublic personal financial information from a nonaffiliated financial institution other than under an exception in Section 4002.140 or 4002.150 of this Part, the licensee may disclose



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## the information only:

- 1) To the affiliates of the financial institution from which the licensee received the information;
- 2) To its affiliates, but its affiliates may, in turn, disclose the information only to the extent that the licensee may disclose the information; and
- 3) To any other person, if the disclosure would be lawful if made directly to that person by the financial institution from which the licensee received the information.

c) Information a licensee discloses under an exception. If a licensee discloses nonpublic personal financial information to a nonaffiliated third party under an exception in Section 4002.140 or 4002.150 of this Part, the third party may disclose and use that information only as follows:

- 1) The third party may disclose the information to the licensee's affiliates;
  - 2) The third party may disclose the information to its affiliates, but its affiliates may, in turn, disclose and use the information only to the extent that the third party may disclose and use the information; and
  - 3) The third party may disclose and use the information pursuant to an exception in Section 4002.140 or 4002.150 of this Part in the ordinary course of business to carry out the activity covered by the exception under which it received the information.
- d) Information a licensee discloses outside of an exception. If a licensee discloses nonpublic personal financial information to a nonaffiliated third party other than under an exception in Section 4002.140 or 4002.150 of this Part, the third party may disclose the information only:
- 1) To the licensee's affiliates;
  - 2) To the third party's affiliates, but the third party's affiliates, in turn, may disclose the information only to the extent the third party can disclose the information; and
  - 3) To any other person, if the disclosure would be lawful if the licensee made it directly to that person.

#### Section 4002.120 Limits on Sharing Account Number Information for Marketing Purposes

- a) General prohibition on disclosure of account numbers. A licensee shall not, directly or through an affiliate, disclose, other than to a consumer reporting agency, a policy number or similar form of access number or access code for a consumer's policy or transaction account to any nonaffiliated third party for use in telemarketing, direct mail marketing or other marketing through electronic mail to the consumer except as provided in subsection (b) of this Section. For the purposes of this Section, a policy or transaction account is an account other than a deposit account or a credit card account and does

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- b) not include an account to which third parties cannot initiate charges. Subsection (a) of this Section does not apply if a licensee discloses a policy number or similar form of access number or access code:

- 1) To the licensee's service provider solely in order to perform marketing for the licensee's own products or services, as long as the service provider is not authorized to directly initiate charges to the account;
  - 2) To a licensee who is an insurance producer solely in order to perform marketing for the licensee's own products or services; or
  - 3) To a participant in an affinity or similar program where the participants in the program are identified to the customer when the customer enters into the program.
- c) For the purposes of this Section a policy number, or similar form of access number or access code, does not include a number or code in an encrypted form, as long as the licensee does not provide the recipient with a means to decode the number or code.

#### Section 4002.130 Exception to Opt Out Requirements for Disclosure of Nonpublic Personal Financial Information for Service Providers and Joint Marketing

- a) The opt out requirements in Sections 4002.70 and 4002.100 of this Part do not apply when a licensee provides nonpublic personal financial information about a consumer to a nonaffiliated third party to perform services for the licensee or functions on the licensee's behalf, if the licensee:
  - 1) Provides the initial notice in accordance with Section 4002.40 of this Part; and
  - 2) Enters into a contractual agreement with the third party that prohibits the third party from disclosing or using the information other than to carry out the purposes for which the licensee disclosed the information, including use under an exception in Section 4002.140 or 4002.150 of this Part in the ordinary course of business to carry out those purposes.
- b) Service may include joint marketing. The services a nonaffiliated third party performs for a licensee under subsection (a) of this Section may include marketing of the licensee's own products or services or marketing of financial products or services offered pursuant to joint agreements between the licensee and one or more financial institutions.
- c) Definition of "joint agreement". For purposes of this Section, "joint agreement" means a written contract pursuant to which a licensee and one or more financial institutions jointly offer, endorse or sponsor a financial product or service.

#### Section 4002.140 Exceptions to Notice and Opt Out Requirements for Disclosure of Nonpublic Personal Financial Information for Processing and Servicing Transactions



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- a) Exceptions for processing transactions at consumer's request. The requirements for initial notice in Section 4002.40(a)(2) of this Part, the opt out in Sections 4002.70 and 4002.100 of this Part, and service providers and joint marketing in Section 4002.130 of this Part do not apply if the licensee discloses nonpublic personal financial information as necessary to effect, administer or enforce a transaction that a consumer requests or authorizes, or in connection with:
- 1) Servicing or processing an insurance product or service that a consumer requests or authorizes;
  - 2) Maintaining or servicing the consumer's account with a licensee, or with another entity as part of a private label credit card program or other extension of credit on behalf of such entity;
  - 3) A proposed or actual securitization, secondary market sale (including sales of servicing rights) or similar transaction related to a transaction of the consumer; or
  - 4) Reinsurance or stop loss or excess loss insurance.
- b) For the purposes of this Section the phrase "necessary to effect, administer or enforce a transaction" means that the disclosure is:
- 1) Required, or is one of the lawful or appropriate methods, to enforce the licensee's rights or the rights of other persons engaged in carrying out the financial transaction or providing the product or service; or
  - 2) Required, or is a usual, appropriate or acceptable method:
    - A) To carry out the transaction or the product or service business of which the transaction is a part, and record, service or maintain the consumer's account in the ordinary course of providing the insurance product or service;
    - B) To administer or service benefits or claims relating to the transaction or the product or service business of which it is a part;
    - C) To provide a confirmation, statement or other record of the transaction, or information on the status or value of the insurance product or service to the consumer or the consumer's agent or broker;
    - D) To accrue or recognize incentives or bonuses associated with the transaction that are provided by a licensee or any other party;
    - E) To underwrite insurance at the consumer's request or for any of the following purposes as they relate to a consumer's insurance:
      - i) Account administration;
      - ii) Reporting;
      - iii) Investigating or preventing fraud or material misrepresentation;
      - iv) Processing premium payments;
      - v) Processing insurance claims;
      - vi) Administering insurance benefits (including

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- utilization review activities);
- vii) Participating in research projects; or
  - viii) As otherwise required or specifically permitted by federal or State law; or
- F) In connection with:
- i) The authorization, settlement, billing, processing, clearing, transferring, reconciling or collection of amounts charged, debited or otherwise paid using a debit, credit or other payment card, check or account number, or by other payment means;
  - ii) The transfer of receivables, accounts or interests therein; or
  - iii) The audit of debit, credit or other payment information.

#### Section 4002.150 Other Exceptions to Notice and Opt Out Requirements for Disclosure of Nonpublic Personal Financial Information

- a) Exceptions to opt out requirements. The requirements for initial notice to consumers in Section 4002.40(a)(2) of this Part, the opt out in Sections 4002.70 and 4002.100 of this Part, and service providers and joint marketing in Section 4002.130 of this Part do not apply when a licensee discloses nonpublic personal financial information:
- 1) With the consent or at the direction of the consumer, provided that the consumer has not revoked the consent or direction pursuant to Section 4002.70(i) of this Part;
  - 2) To protect the confidentiality or security of a licensee's records pertaining to the consumer, service, product or transaction;
  - 3) To protect against or prevent actual or potential fraud or unauthorized transactions;
  - 4) For required institutional risk control or for resolving consumer disputes or inquiries;
  - 5) To persons holding a legal or beneficial interest relating to the consumer;
  - 6) To persons acting in a fiduciary or representative capacity on behalf of the consumer;
  - 7) To provide information to insurance rate advisory organizations, guaranty funds or agencies, agencies that are rating a licensee, persons that are assessing the licensee's compliance with industry standards, and the licensee's attorneys, accountants and auditors;
  - 8) To the extent specifically permitted or required under other provisions of law and in accordance with the federal Right to Financial Privacy Act of 1978 (12 USC 3401 et seq.), to law enforcement agencies (including the Federal Reserve Board, Office of the Comptroller of the Currency, Federal Deposit Insurance Corporation, Office of Thrift Supervision, National Credit Union



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Administration, the Securities and Exchange Commission, the Secretary of the Treasury, with respect to Records and Reports on Monetary Instruments and Transactions (31 USC Chapter 53, Subchapter II) and Financial Recordkeeping (12 USC Chapter 21), a state insurance authority, and the Federal Trade Commission), self-regulatory organizations or for an investigation on a matter related to public safety;

- 9) To a consumer reporting agency in accordance with the federal Fair Credit Reporting Act (15 USC 1681 et seq.) or from a consumer report reported by a consumer reporting agency;
- 10) In connection with a proposed or actual sale, merger, transfer or exchange of all or a portion of a business or operating unit if the disclosure of nonpublic personal financial information concerns solely consumers of the business or unit;
- 11) To comply with federal, State or local laws, rules and other applicable legal requirements;
- 12) To comply with a properly authorized civil, criminal or regulatory investigation, or subpoena or summons by federal, State or local authorities;
- 13) To respond to judicial process or government regulatory authorities having jurisdiction over a licensee for examination, compliance or other purposes as authorized by law; or
- 14) For purposes related to the replacement of a group benefit plan, a group health plan, or a group welfare plan.
  - b) The notice requirements of this Part may be waived by the Director when a company is in liquidation or receivership pursuant to Article XIII of the Code [215 ILCS 5/Art. XIII].

**Section 4002.200 Nondiscrimination**

A licensee shall not unfairly discriminate against any consumer or customer because that consumer or customer has opted out from the disclosure of his or her nonpublic personal financial information pursuant to the provisions of this Part.

**Section 4002.210 Enforcement**

This Part, Article XL of the Code [215 ILCS 5/Art. XL], and Title V of the Gramm-Leach-Bliley Act (15 USC 6801 through 6827) shall be enforced by the Director with respect to all licensees.

**Section 4002.220 Penalty**

Failure of a company or person to comply with this Part shall subject the company to the applicable provisions of Section 403A of the Code [215 ILCS 5/403A].

**Section 4002.230 Severability**

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If any Section or portion of a Section of this Part or its applicability to any person or circumstance is held invalid by a court, the remainder of this Part or the applicability of the provision to other persons or circumstances shall not be affected.

**Section 4002.235 Protection of Fair Credit Reporting Act**

Nothing in this Part shall be construed to modify, limit or supersede the operation of the federal Fair Credit Reporting Act (15 USC 1681 et seq.), and no inference shall be drawn on the basis of the provisions of this Part regarding whether information is transaction or experience information under Section 603 of that Act.

**Section 4002.240 Effective Date**

This Part will be effective July 1, 2001 in order to provide sufficient time for licensees to establish policies and systems to comply with the requirements of Title V of the Gramm-Leach-Bliley Act (15 USC 6801 through 6827), which became effective November 13, 1999. By July 1, 2001, a licensee shall provide an initial notice, as required by Section 4002.40 of this Part, to consumers who are the licensee's customers on July 1, 2001. However, Sections 4002.40 and 4002.50 will become effective upon the first renewal for a customer who was a customer prior to July 1, 2001. However, the provisions of Section 4002.130 are satisfied until July 1, 2002 as applied to a contract that a licensee has entered into with a nonaffiliated third party to perform services for the licensee or functions on the licensee's behalf, even if the contract does not include a requirement that the third party maintain the confidentiality of nonpublic personal information, as long as the licensee entered into the contract on or before July 1, 2000.



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**Section 4002.ILLUSTRATION A Sample Clauses**

Licenses, including a group of financial holding company affiliates that use a common privacy notice, may use the following sample clauses, if the clause is accurate for each institution that uses the notice. (Note that disclosure of certain information, such as assets, income and information from a consumer reporting agency, may give rise to obligations under the federal Fair Credit Reporting Act, such as a requirement to permit a consumer to opt out of disclosures to affiliates or designation as a consumer reporting agency if disclosures are made to nonaffiliated third parties.)

**A-1-Categories of information a licensee collects (all institutions)**

A licensee may use this clause, as applicable, to meet the requirement of Section 4002.60(a)(1) of this Part to describe the categories of nonpublic personal information the licensee collects.

**Sample Clause A-1:**

We collect nonpublic personal information about you from the following sources:

- \* Information we receive from you on applications or other forms;
- \* Information about your transactions with us, our affiliates or others; and
- \* Information we receive from a consumer reporting agency.

**A-2-Categories of information a licensee discloses (institutions that disclose outside of the exceptions)**

A licensee may use one of these clauses, as applicable, to meet the requirement of Section 4002.60(a)(2) of this Part to describe the categories of nonpublic personal information the licensee discloses. The licensee may use these clauses if it discloses nonpublic personal information other than as permitted by the exceptions in Sections 4002.130, 4002.140 and 4002.150 of this Part.

**Sample Clause A-2, Alternative 1:**

We may disclose the following kinds of nonpublic personal information about you:

- \* Information we receive from you on applications or other forms, such as [provide illustrative examples, such as "your name, address, social security number, assets, income, and beneficiaries"];
- \* Information about your transactions with us, our affiliates or others, such as [provide illustrative examples, such as "your policy coverage, premiums, and payment history"]; and
- \* Information we receive from a consumer reporting agency, such as [provide illustrative examples, such as "your creditworthiness and credit history"].

**Sample Clause A-2, Alternative 2:**

We may disclose all of the information that we collect, as described [describe location in the notice, such as "above" or "below"].

**A-3-Categories of information a licensee discloses and parties to whom the licensee discloses (institutions that do not disclose outside of the exceptions)**

A licensee may use this clause, as applicable, to meet the requirements of Sections 4002.60(a)(2), (a)(3), and (a)(4) to describe the categories of

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nonpublic personal information about customers and former customers that the licensee discloses and the categories of affiliates and nonaffiliated third parties to whom the licensee discloses. A licensee may use this clause if the licensee does not disclose nonpublic personal information to any party, other than as permitted by the exceptions in Sections 4002.140 and 4002.150 of this Part.

**Sample Clause A-3:**

We do not disclose any nonpublic personal information about our customers or former customers to anyone, except as permitted by law.

**A-4-Categories of parties to whom a licensee discloses (institutions that disclose outside of the exceptions)**

A licensee may use this clause, as applicable, to meet the requirement of Section 4002.60(a)(3) of this Part to describe the categories of affiliates and nonaffiliated third parties to whom the licensee discloses nonpublic personal information. This clause may be used if the licensee discloses nonpublic personal information other than as permitted by the exceptions in Sections 4002.130, 4002.140 and 4002.150 of this Part, as well as when permitted by the exceptions in Sections 4002.140 and 4002.150 of this Part.

**Sample Clause A-4:**

We may disclose nonpublic personal information about you to the following types of third parties:

- \* Financial service providers, such as [provide illustrative examples, such as "life insurers, automobile insurers, mortgage bankers, securities broker-dealers, and insurance agents"];
- \* Non-financial companies, such as [provide illustrative examples, such as "retailers, direct marketers, airlines, and publishers"]; and
- \* Others, such as [provide illustrative examples, such as "non-profit organizations"].

We may also disclose nonpublic personal information about you to nonaffiliated third parties as permitted by law.

**A-5-Service provider/joint marketing exception**

A licensee may use one of these clauses, as applicable, to meet the requirements of Section 4002.60(a)(5) of this Part related to the exception for service providers and joint marketers in Section 4002.130 of this Part. If a licensee discloses nonpublic personal information under this exception, the licensee shall describe the categories of nonpublic personal information the licensee discloses and the categories of third parties with which the licensee has contracted.

**Sample Clause A-5, Alternative 1:**

We may disclose the following information to companies that perform marketing services on our behalf or to other financial institutions with which we have joint marketing agreements:

- \* Information we receive from you on applications or other forms, such as [provide illustrative examples, such as "your name, address, social security number, assets, income, and beneficiaries"];
- \* Information about your transactions with us, our affiliates or others, such



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as [provide illustrative examples, such as "your policy coverage, premium, and payment history"]; and

\* Information we receive from a consumer reporting agency, such as [provide illustrative examples, such as "your creditworthiness and credit history"].

Sample Clause A-5, Alternative 2:

We may disclose all of the information we collect, as described [describe location in the notice, such as "above" or "below"] to companies that perform marketing services on our behalf or to other financial institutions with whom we have joint marketing agreements.

**A-6-Explanation of opt out right (institutions that disclose outside of the exceptions)**

A licensee may use this clause, as applicable, to meet the requirement of Section 4002.60(a)(6) of this Part to provide an explanation of the consumer's right to opt out of the disclosure of nonpublic personal information to nonaffiliated third parties, including the methods by which the consumer may exercise that right. The licensee may use this clause if the licensee discloses nonpublic personal information other than as permitted by the exceptions in Sections 4002.130, 4002.140 and 4002.150 of this Part.

**Sample Clause A-6:**

If you prefer that we not disclose nonpublic personal information about you to nonaffiliated third parties, you may opt out of those disclosures, that is, you may direct us not to make those disclosures (other than disclosures permitted by law). If you wish to opt out of disclosures to nonaffiliated third parties, you may [describe a reasonable means of opting out, such as "call the following toll-free number: (insert number)"].

**A-7-Confidentiality and security (all institutions)**

A licensee may use this clause, as applicable, to meet the requirement of Section 4002.60(a)(8) of this Part to describe its policies and practices with respect to protecting the confidentiality and security of nonpublic personal information.

Sample Clause A-7: We restrict access to nonpublic personal information about you to [provide an appropriate description, such as "those employees who need to know that information to provide products or services to you"]. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

## DEPARTMENT OF LABOR

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Arbitration Policies, Functions, and Procedures
- 2) Code Citation: 56 Ill. Adm. Code 110
- 3) Section Numbers: Adopted Action:

110.10	Amend
110.40	Amend
110.80	Repeal
110.130	Amend
- 4) Statutory Authority: Implementing and authorized by the Labor Arbitration Services Act (LASA) [710 ILCS 10].
- 5) Effective Date of Amendments: May 21, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 25 Ill. Reg. 775 (January 19, 2001)
- 10) Has JCAR Issued a Statement of Objection to these amendments? No
- 11) Difference Between Proposal and Final Version: No substantive changes have been made in the text of the proposed amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these amendments replace emergency amendments currently in effect? No
- 14) Are there any other amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: The rulemaking will update the regulations under the LASA, and adjust the Department of Labor's administration of the statute accordingly, including, but not limited to, updating incorporations by reference and, for the first time since 1987, increasing the administrative filing fee charged by the Illinois Arbitration Services, and increasing the per diem fees charged by arbitrators, except IDOL employees.
- 16) Information and questions regarding these adopted amendments shall be directed to:

## DEPARTMENT OF LABOR

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William Rolando, Assistant Director  
Illinois Department of Labor  
One West Old State Capitol Plaza, Room 300  
Springfield, Illinois 62701  
(217) 782-1704 (telephone)  
(217) 782-0596 (telefax)

The full text of the adopted amendments begins on the next page:

## DEPARTMENT OF LABOR

## NOTICE OF ADOPTED AMENDMENTS

TITLE 56: LABOR AND EMPLOYMENT  
CHAPTER I: DEPARTMENT OF LABOR  
SUBCHAPTER a: GENERAL ADMINISTRATIVE RULES

## PART 110

## ARBITRATION POLICIES, FUNCTIONS, AND PROCEDURES

Section	
110.10	Scope and Authority
110.20	Policy
110.30	Administrative Responsibilities
110.40	Roster of Arbitrators; Admission and Retention
110.50	Listing on the Roster; Criteria for Listing and Retention
110.60	Freedom of Choice
110.70	Procedures for Arbitration Services
110.80	Arbitrability (Repealed)
110.90	Nominations and Designations of Arbitrators
110.100	Selection and Appointment of Arbitrators
110.110	Conduct of Hearings
110.120	Decision and Award
110.130	Fees and Charges of Arbitrators and the Service
110.140	Reports and Biographical Sketches
110.150	Status of Hearings

AUTHORITY: Implementing and authorized by the Labor Arbitration Services Act [710 ILCS 10].

SOURCE: Adopted at 11 Ill. Reg. 11094, effective June 8, 1987; amended at 25 Ill. Reg. 7211-2, effective MAY 21 2001.

## Section 110.10 Scope and Authority

This Part is issued by the Illinois Department of Labor under the Labor Arbitration Services Act [710 ILCS 10] "AN ACT CONCERNING THE POWERS AND DUTIES OF THE DEPARTMENT OF LABOR REGARDING DISPUTES BETWEEN EMPLOYERS AND EMPLOYEES OR THE BARGAINING REPRESENTATIVES OF SUCH EMPLOYEES" (111 Rev. Stat. 1985, ch. 48, pars. 2301-2304) (the Act). The Part applies to all arbitrators listed on the Department's Illinois Arbitration Service (IAS) Roster of Arbitrators, to all applicants for listing on the Roster, and to all persons or parties seeking to obtain from IAS either names or panels of names of Arbitrators listed on the Roster in connection with disputes which are to be submitted to arbitration or fact-finding.

(Source: Amended at 25 Ill. Reg. 7211-2, effective MAY 21 2001)

Section 110.40 Roster of Arbitrators; Admission and Retention



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nomination or panel nor the appointment of an arbitrator constitutes a determination by IAS that an agreement to arbitrate or enter fact-finding proceedings exists; nor does such action constitute a ruling that the matter in controversy is arbitrable under any agreement.

f) Rights of Person Listed on the Roster: No person, including any employee of the Illinois Department of Labor, shall have any right to be listed or to remain listed on the Roster. The Department of Labor retains authority, ultimately subject to the Director's authority, to assure that the needs of the parties using its facilities are served. To accomplish this purpose it may establish procedures for the preparation of panels or the appointment of arbitrators or fact-finders which include consideration of such factors as background, experience, availability, acceptability to possible parties, geographical location and the expressed preferences of the parties. (Reference Section 110.90, Nominations and Designations of Arbitrators)

(Source: Amended at 25 Ill. Reg. 7211-2, effective MAY 24 1987)

Section 110.80 Arbitrability (Repealed)

Where either party claims that a dispute is not subject to arbitration, the IAS will not decide the merit of the claim.

(Source: Repealed at 25 Ill. Reg. 7211-3, effective MAY 24 1987)

Section 110.130 Fees and Charges of Arbitrators and the Service

a) Except for collective bargaining agreements executed prior to July 1, 1987, or stipulations to arbitrate executed prior to that date, an administrative filing fee is charged by the IAS. In instances of a joint request to arbitrate, the administrative fee (payable by two checks or one) is a total of \$200.25. Where a request is made for a panel or designation of an arbitrator, the fee chargeable to that party is \$100.125; a bill will be sent to the other party with the designation or panel list notification.

b) The current policy of the IAS permits each of its nominees or appointees to charge a per diem fee, except for Department of Labor employees, who will not charge for their services. All other nominees or appointees will be enabled to charge a per diem fee and other predetermined fees for services, the amount of which has been certified in advance to the IAS and is less than or equal to the maximum allowed by the IAS. The arbitrator's fees will be set forth on a biographical sketch which is sent to the parties when panels are submitted and are the controlling fees, if in compliance with the IAS

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a) The Roster: The IAS shall maintain a Roster of labor arbitrators consisting of persons who meet the criteria for listing contained in Section 110.50(a) and (b) and whose names have not been removed from the Roster in accordance with Section 110.50(b)(4).

b) Adherence to Standards and Requirements: Persons listed on the Roster shall comply and with this Part and with any written instructions or forms provided to them in accordance with Sections 110.70 through 110.150. Arbitrators are also expected to conform to the ethical standards and procedures set forth in the Code of Professional Responsibility for Arbitrators of Labor Management Disputes, as approved by the Joint Joint Steering Committee of the National Academy of Arbitrators. (May 30, 1996, no subsequent dates or editions). Copies are available at the Department of Labor's Springfield office. Copies may also be obtained at <http://www.igc.org/naarb/ethics.html>.

~~Date--of--Publication--11/30/74--Location-of-Publication--PMES--2100-K Street--N.W.--Washington--D.C.--20427--this-incorporation--includes--no later-amendments--or--editions-->~~

c) Status of Arbitrators: Persons who are listed on the Roster and are selected or appointed to hear arbitration matters or to serve as fact-finders do not become employees of the State of Illinois or the parties by virtue of their selection or appointment. Following selection or appointment, the arbitrator's relationship is solely with the parties to the dispute, except that arbitrators are subject to certain reporting requirements and to standards of conduct as set forth in this Section.

d) Role of IAS. IAS has no power to:

- 1) Compel parties to arbitrate or agree to arbitration;
- 2) Enforce an agreement to arbitrate;
- 3) Compel parties to agree to a particular arbitrator, except where the collective bargaining agreement indicates that IAS is to select and assign the particular panel rather than submit a roster and in the judgment of IAS the particular arbitrator assigned does not appear to be in a conflict of interest under either Section 110.50 or Section 110.60 of this Part.

e) Nominations and Panels: On request of the parties to an agreement to arbitrate or engage in fact-finding, or where arbitration or fact-finding may be provided for by statute, or as a court may request, IAS will provide a name or a panel of names drawn from the Roster. Where an agreement specifies only that the Service is to provide arbitration or an arbitrator, the Service shall designate one named arbitrator. The provision of a named arbitrator or a panel of arbitrators shall be without charge if pursuant to a request of court or if pursuant to a collective bargaining agreement or private employment agreement executed prior to July 1, 1987. In all other instances an application fee shall be charged as determined by the Director during the period during which the request is made to the Service pursuant to Section 110.130(a). Procedures for obtaining these services are in Section 110.70. Neither the submission of a

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- limitations. The arbitrator shall not change any fee or add charges without giving at least thirty-(30) days advance notice to the IAS.
- c) The IAS's maximum limitations are \$4023 an hour or \$200t09 a day, applicable to each day of hearing and to up to and including two days of consideration and award writing, for the per diem fee. An arbitrator may charge in addition for the costs of phone calls, postage, and up to and including 30t5¢ per page for copies. An arbitrator may charge for mileage at the rate of 3223¢ per mile, measured from either his stated location or a point of departure nearer the hearing in going to a hearing, or measured from the place of hearing to his stated location to-the-location or a nearer point of ending his journey, on return. Plane and train or bus fares may be charged on the basis of cost, in which a case copy of the receipt must be included in the statement of expenses and fees to the parties and the IAS, as must be car rental fees and motel fees and meals.
- d) The IAS requests that it be notified of any arbitrator's deviation from the policies expressed in this Section herein. However, the IAS will not attempt to resolve any fee dispute.

(Source: Amended at 25 Ill. Reg. 7211--2, effective MAY 21 2006)

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- 1) Heading of the Part: White-Tailed Deer Hunting By Use of Bow and Arrow
- 2) Code Citation: 17 Ill. Adm. Code 670
- 3) Section Numbers: Adopted Action:  
670.21 Amendment  
670.55 Amendment  
670.60 Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].
- 5) Effective Date of Amendments: May 22, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: January 26, 2001, 25 Ill. Reg. 1047
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Difference between proposal and final version:

Section 670.21(e) - changed 1st paragraph as follows:

"Bona fide equity shareholders Shareholders of corporations or bona fide equity members of limited liability companies....bona fide equity shareholder or member, as defined in this subsection, identify authorization to hunt and identify"....

Added the following under Section 670.21(e):

1) Bona fide equity shareholder means an individual who:

A) purchased, for market price, publicly sold stock shares in a corporation; purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation; or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership; and



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TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER b: FISH AND WILDLIFE

PART 670  
WHITE-TAILED DEER HUNTING BY USE OF BOW AND ARROW

Section	
670.10	Statewide Open Seasons and Counties
670.20	Statewide Deer Permit Requirements
670.21	Deer Permit Requirements - Landowner/Tenant Permits
670.30	Statewide Legal Bow and Arrow
670.40	Statewide Deer Hunting Rules
670.50	Rejection of Application/Revocation of Permits
670.55	Reporting Harvest
670.60	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].

SOURCE: Adopted at 5 Ill. Reg. 8888, effective August 25, 1981; codified at 5 Ill. Reg. 10641; emergency amendment at 5 Ill. Reg. 11402, effective October 14, 1981, for a maximum of 150 days; emergency expired March 13, 1982; amended at 6 Ill. Reg. 10721, effective August 20, 1982; emergency amendment at 6 Ill. Reg. 15581, effective December 14, 1982, for a maximum of 150 days; emergency expired May 13, 1983; amended at 7 Ill. Reg. 10790, effective August 24, 1983; amended at 8 Ill. Reg. 19004, effective September 26, 1984; amended at 9 Ill. Reg. 14317, effective September 9, 1985; amended at 10 Ill. Reg. 16658, effective September 22, 1986; amended at 11 Ill. Reg. 2275, effective January 20, 1987; amended at 12 Ill. Reg. 12042, effective July 11, 1988; amended at 13 Ill. Reg. 12839, effective July 21, 1989; amended at 14 Ill. Reg. 14787, effective September 4, 1990; amended at 14 Ill. Reg. 19859, effective December 3, 1990; amended at 15 Ill. Reg. 10021, effective June 24, 1991; amended at 15 Ill. Reg. 16691, effective October 31, 1991; amended at 16 Ill. Reg. 11116, effective June 30, 1992; amended at 17 Ill. Reg. 286, effective December 28, 1992; amended at 17 Ill. Reg. 13452, effective July 30, 1993; amended at 18 Ill. Reg. 5842, effective April 5, 1994; amended at 19 Ill. Reg. 7560, effective May 26, 1995; amended at 19 Ill. Reg. 15411, effective October 26, 1995; amended at 20 Ill. Reg. 6723, effective May 6, 1996; amended at 21 Ill. Reg. 5561, effective April 19, 1997; amended at 22 Ill. Reg. 7995, effective April 28, 1998; amended at 23 Ill. Reg. 6829, effective May 20, 1999; amended at 24 Ill. Reg. 6908, effective April 20, 2000; amended at 25 Ill. Reg. 7219, effective MAY 22 2001.

Section 670.21 Deer Permit Requirements - Landowner/Tenant Permits

a) The immediate family of a landowner or tenant is limited to the

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B) intends to retain the ownership of the shares of stock for at least 5 years."

- 2) Bona fide equity member means an individual who:
- A) became a member upon the formation of the limited liability company; or has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised of the limited liability company assets represented by the distributional interest in the limited liability company and subsequently becomes a member of the company pursuant to Article 30 of the Limited Liability Company Act; and
  - B) intends to retain the membership for at least 5 years."

Section 670.60(g) - struck "Siloam Springs State Park (1) (2) (4)" from the list.

Section 670.60(h) - struck "Jim Edgar Panther Creek State Fish and Wildlife Area (1) (4)" from the list.

Section 670.60(i) - struck "Sangchris Lake State Park (an antlerless deer must be taken before an antlered deer is harvested) (1) (5)" from the list.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

- 13) Will this rulemaking replace emergency amendments currently in effect? No

- 14) Are there any amendments pending on this Part? Yes

Section Number	Proposed Action	Illinois Register Citation
670.20	Amendment	25 Ill. Reg. 6103, May 11, 2001

Summary and Purpose of Rulemaking: This Part was amended to allow members of limited liability companies to obtain landowner deer permits, allow hunters to quarter deer for easier transport out of the field, and open and close State-owned or -managed sites to firearm deer hunting.

- 16) Information and questions regarding these adopted amendments shall be directed to: Jack Price  
Department of Natural Resources 217/782-1809  
524 S. Second Street, Room 430  
Springfield IL 62701-1787

The full text of the adopted amendments begins on the next page:



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spouse, children or parents permanently residing on the same property as the landowner or tenant.

- b) A tenant for the purpose of this Part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit. Hunting and mineral rights leases are not valid for a tenant permit.

- c) Resident Illinois landowners who own 40 acres or more of land and agricultural tenants renting or leasing 40 acres or more of commercial agricultural land, and members of their immediate family, may apply for a free combination archery deer permit for their property only. Nonresident Illinois landowners (of 40 acres or more) are also eligible to apply for a combination archery deer permit for their property only. The fee to non-resident Illinois landowners owning 40 acres or more for a combination permit for their property only shall be \$70. This deer hunting permit shall be valid on all farm lands owned, leased, or rented by the person to whom it is issued. Qualified landowners/tenants who choose not to receive property-only firearm permits may receive 2 combination archery deer permits for their property only.

- d) If property is owned or rented by more than one person, only one landowner (and his immediate family) or one tenant (and his immediate family) will be issued a permit for every 40 acres of owned or rented land. For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate family may receive deer permits.

- e) Bona fide equity shareholders Shareholders of corporations or bona fide equity members of limited liability companies owning 40 or more acres of land in a county may apply for one combination permit to hunt the corporation or limited liability company lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county, shall be issued based on ownership of lands by corporations and limited liability companies. Lands leased to corporations and limited liability companies shall not be considered as a basis for a permit for the shareholders/members of the lessee. Lands held in trust by corporations and limited liability companies shall not be considered as a basis for a permit by the shareholders/members of the trustee. If application is made for a permit based upon lands owned by the corporation or limited liability company, a duly authorized officer of the corporation or company must sign a notarized statement authorizing the applicant to hunt on the corporate or company lands for which a permit is being requested. This statement must identify the applicant as a bona fide equity shareholder or member, as defined in this subsection, identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation or limited liability company lands. This document must be attached to the application upon submittal to the Permit Office. The shareholder/member combination permit shall be free to resident shareholders/members, and the cost to non-resident

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shareholders/members shall be \$70.

- 1) Bona fide equity shareholder means an individual who:

- A) purchased, for market price, publicly sold stock shares in a corporation; purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation; or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership; and
- B) intends to retain the ownership of the shares of stock for a least 5 years.

- 2) Bona fide equity member means an individual who:

- A) became a member upon the formation of the limited liability company; or has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the limited liability company assets represented by the distributional interest in the limited liability company and subsequently becomes a member of the company pursuant to Article 30 of the Limited Liability Company Act; and
- B) intends to retain the membership for at least 5 years.

- f) The application period for these permits will be publicly announced. Applicants submitting applications for a landowner or shareholder archery permit after September 1 will not be guaranteed a permit by October 1.

(Source: Amended at 25 Ill. Reg. 7217 effective MAY 22 2001)

## Section 670.55 Reporting Harvest

- a) Within 48 hours of taking a deer by bow and arrow, the hunter must check the deer in at a county archery check station.
- b) It is permissible to quarter the deer carcass prior to checking it in, so long as all parts of the carcass (except the entrails removed during field dressing) are transported together, and the carcass is tagged in the appropriate location. However, it is illegal to possess or transport a deer carcass, prior to checking it in, without evidence of sex naturally attached. If the carcass is quartered, evidence of sex only needs to be attached to one quarter or another major part of the carcass. Evidence of sex is:
- 1) For a buck: head with antlers attached to carcass, or attached testicle, scrotum, or penis.
- 2) For a does: head attached to carcass, or attached udder (mammary) or vulva.
- cb) Site specific reporting requirements must be followed in addition to



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this Section.

de) Failure to follow this Section constitutes illegal possession of deer.

(Source: Amended at 25 Ill. Reg. 7217, effective MAY 22 2001)

## Section 670.60 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 (General Hunting and Trapping) apply in this Section, unless this Section is more restrictive.
- b) Only one tree stand is allowed per deer permit holder. Tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that tree stands may be left unattended from September 15 through January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.
- c) Check-in, check-out, and reporting of harvest is required at those sites listed in this Section that are followed by a (2).
- d) Where standby hunters are used to fill quotas, a drawing will be held at sites indicated by a (3).
- e) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (4).
- f) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (5).
- g) Statewide regulations shall apply at the following sites:

\* Anderson Lake Fish and Wildlife Area (2)

Argyle Lake State Park Recreation-Area (2)

Apple River Canyon State Park (2)

\* Banner Marsh Fish and Wildlife Area (2)

Be all Woods State Park (antlerless deer only; hunting hours legal opening until 10:00 a.m.; check out by 11:00 a.m.) (1) (2)

\* Big Bend State Fish and Wildlife Area (1) (2)

Big River State Forest (2)

Cache River State Natural Area (1) (2)

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Campbell Pond Fish and Wildlife Area (1) (2)

Carlyle Lake Lands and Waters (Corps of Engineers managed lands)

Carlyle Lake Wildlife Management Area (except subimpoundment area is closed seven days prior to and during the regular waterfowl season)

Castle Rock State Park (1) (2)

Crawford County Conservation Area (1) (2)

Cypress Creek National Wildlife Refuge

Cypress Pond State Natural Area (1) (2)

Dixon Springs State Park (1) (2)

Dog Island Wildlife Management Area (1) (2)

\* Eldon Hazlet State Park (Hunting is only permitted north of Allen Branch, north of Hazlet Park Road between the park boundary and its intersection with Allen Branch Road, north of Allen Branch Road between its intersection with Hazlet Park Road and Allen Branch Boat Access Area, and west of Pepperhorst Branch. Hunting is not permitted in the controlled pheasant area during the site's controlled pheasant season (except on days when controlled pheasant hunting is closed) and the five consecutive days following the site's controlled pheasant season, or in the North Allen Branch Waterfowl Management Unit after the opening of the statewide waterfowl season. Additionally, a limited hunting opportunity exists for persons with disabilities west of the main park road going towards the Illini Campground. Disabled hunters as defined in 520 ILCS 5/3.1(c) may register to hunt at the site office and must sign in and out daily. Disabled hunters are required to hunt with a non-disabled partner who may also hunt from pre-determined locations. Disabled hunters may hunt during the statewide archery season as described in 17 Ill. Adm. Code 650.10, except on days when the site's controlled pheasant hunting is open and the 5 consecutive days following the site's controlled pheasant season north-of--Allen-Branch-and-West-of-Pepenhorse-Branch-only) (2)

Ferne Clyffe State Park (1) (2)

Fort de Chartres State Historic Site (1) (2)

Fort Massac State Park (1) (2)

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- \* Franklin Creek State Park (2)
- Giant City State Park (1) (2)
- Goose Lake Prairie State Park (tree stands not allowed; "Texas" type tripod stands allowed; antlerless deer only) (2) (3)
- Green River State Wildlife Area (1) (2)
- Heidecke State Fish and Wildlife Area (2) (3) (5)
- Horseshoe Lake Conservation Area - Alexander County (Controlled Goose Hunting Area - open from October 1-31; reopens with the close of the Quota Zone goose season through statewide closing; remainder of the Public Hunting Area open during statewide season) (1) (2)
- I-24 Wildlife Management Area (1) (2)
- Iroquois County State Wildlife Area/Hooper Branch only (1) (2)
- \* Jubilee College State Park (2) (4)
- Kaskaskia River Fish and Wildlife Area (1) (2) (except south of Highway 154 and north of Highway 13)
- Kidd Lake State Natural Area (1)
- Kinkaid Lake Fish and Wildlife Area (1) (2)
- Lake Le Agua Na State Park (antlerless deer only; November 1-30; hunting hours legal opening until 10:00 a.m.) (2)
- Lowden-Miller State Forest (1) (2) (4)
- Mackinaw River Fish and Wildlife Area (1) (2)
- Marseilles Fish and Wildlife Area (closed Friday, Saturday, and Sunday in October only) (all tree stands must be removed from this area no later than the last day of the season) (1) (2)
- Marshall Fish and Wildlife Area (2)
- Maytown Pheasant Habitat Area (hunting allowed during October only) (2)
- Mazonia/Braidwood-State-Fish-and-Wildlife-Area--(archery--hunting will-be-publicly-announced)

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- Mississippi Fish and Waterfowl Management Area - Pools 25 and 26
- Mississippi River Pool 16 (1)
- Mississippi River Pools 17, 18 (1)
- Mississippi River Pools 21, 22, 24 (1)
- \* Mt. Vernon Propagation Center (hunting allowed during October only) (1) (2)
- Oakford Conservation Area
- Panther-Creek-Conservation-Area-(1)-(2)-(4)
- \* Peabody River King State Fish and Wildlife Area (East and North subunits close November 1) (1) (2)
- Pere Marquette State Park (area east of Graham Hollow Road) (1) (2)
- Pyramid State Park (1) (2)
- \* Randolph County Conservation Area (1) (2)
- Ray Norbut Fish and Wildlife Conservation Area (2)
- \* Red Hills State Park (1) (2)
- Rend Lake Project Lands and Waters State-Fish-and-Wildlife--Area (1)
- Rend Lake Project Lands and Waters (designated area on refuge only, designated dates between October 1-October 31) (1) (2)
- \* Rice Lake Fish and Wildlife Area (2)
- Rock Cut State Park (only during the special firearm deer hunt on the site; hunting from DNR established blind sites only; hunting limited to holders of Class P2A disability cards and escorts) (2) (3)
- Saline County Fish and Wildlife Area (1) (2)
- \* Sam Parr State Park (1) (2)
- Sangamon County Conservation Area



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Sanganois State Wildlife Area (1)

\* Shabbona Lake State Park (2)

Sielbeck Forest Natural Area (1) (2)

Sileam-Springs-State-Park-(1)-(2)-(4)

\* Silver Springs State Park (2)

Tapley Woods State Natural Area (2)

Trail of Tears State Forest (1) (2)

Turkey Bluffs Fish and Wildlife Area (1) (2)

Union County Conservation Area (Controlled Goose Hunting Area - open from October 1-31; reopens with the close of the Quota Zone goose season through statewide closing) (1) (2)

Walnut Point Fish and Wildlife Area (1)

\* Washington County Conservation Area (deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season) (1) (2)

Weinberg-King State Park (2)

Wildcat Hollow State Forest (1)

Witkowsky State Wildlife Area (opens October 15)(2)

h) Statewide regulations shall apply at the following sites except that hunter quotas shall be filled by mail-in drawing:

Beaver Dam State Park

Burriss Habitat Area (hunter quotas filled by drawing; must have Fox Ridge site permit to be eligible)

Horseshoe Lake State Park (Madison County) (hunting in designated areas only; hunting will close at end of regular duck season) (1) (2)

Momence Wetland

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Pere Marquette State Park (hunting in designated camp areas only; season begins the first weekday after camps close)

~~Rend-Lake-State-Fish-and-Wildlife-Area-(designated-area-on-refuge only,--designated-dates-between-October-1-October-31,--1996)~~

Sahara Woods (1) (2)

Union County Conservation Area

i) State regulations shall apply except that hunters must obtain a free permit from the site office. This permit must be in possession while hunting and must be returned, and harvest reported, to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.

Chauncey Marsh State Natural Area (permit obtained at Red Hills State Park headquarters) (1)

Clinton Lake State Recreation Area (1)

Coffeen Lake State Fish and Wildlife Area

Des Plaines Conservation Area (closed to archery deer hunting during the site's upland game hunting season) (2)

Des Plaines Game Propagation Center (2)

\* Eagle Creek State Park (disabled hunters are exempt from site's antler restrictions) (4)

East Conant Field (1) (4)

Fox Ridge State Park (1)

Hamilton County Conservation Area (1)

Harry "Babe" Woodyard State Natural Area (1) (4)

Hidden Springs State Forest (1)

~~Jim-Edgar-Panther-Creek-State-Fish-and-Wildlife-Area-(1)-(4)~~

Kankakee River State Park (deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting

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season. Additionally, a limited hunting opportunity for persons with disabilities exists at the Davis Creek Bike Trail Area. Disabled hunters, as defined in 520 ILCS 5/3.1(c), may register to hunt at the site office and must sign in and out daily. Disabled hunters are required to hunt with a non-disabled partner who may also hunt from predetermined locations during disabled hunting season (the day after the first firearm deer season as set forth in 17 Ill. Adm. Code 650.10 to December 24))

Kickapoo State Park (1)

Matthiessen Dells State Park (antlerless deer only; closed during the special site firearm deer seasons and open during the statewide firearm deer seasons) (2)

Mautino State Fish and Wildlife Area (1)

Mazonia/Braidwood State Fish and Wildlife Area (4)

Mermet Lake Conservation Area (1) (2)

Middle Fork Fish and Wildlife Area (1)

\* Mississippi Palisades State Park (November 1 through December 31) (closed during the first firearm deer season) (1)

Newton Lake Fish and Wildlife Area (check deer at site office)

\* Pekin Lake Fish and Wildlife Area (1)

Ramsey Lake State Park (1)

\* Sam Dale Lake Conservation Area (1)

Sand Ridge State Forest (1)

\* ~~Sangchris--Lake--State--Park--(an--antlerless--deer--must-be-taken before-an-antlered-deer-is-harvested)-(1)(5)~~

~~Sato-Pfield-(1)-(4)~~

Shelbyville Wildlife Management Area (1)

Snake Den Hollow Fish and Wildlife Area (October 1 through start of the central zone goose season)

\* Spring Lake Fish and Wildlife Area (1)

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\* Starved Rock/Matthiessen State Park (antlerless deer only; closed during the special firearm deer seasons; deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange during the statewide firearm and muzzleloader deer seasons; hunting in designated areas only) (2)

\* Stephen A. Forbes State Park (1)

Ten Mile Creek Fish and Wildlife Area (areas designated as refuge are closed to all access during Canada goose season only) (1); Belle Rive Unit only (4)

Volo Bog State Natural Area (hunting only from November 1 through December 31; Monday through Wednesday only; except State holidays) (2)

j) Statewide regulations shall apply except that no hunting is permitted Wednesday through Sunday of the site's permit pheasant season.

Chain O'Lakes State Park (season opens Monday prior to opening of permit pheasant hunting season and closes Tuesday following the close of the permit pheasant hunting season; season reopens on December 26 till close of regular season)

Iroquois County Conservation Area (2)

Johnson Sauk Trail State Recreation Area (1) (2) ~~Park~~

Moraine View State Park (1)

Wayne Fitzgerald State Recreation Area (no bowhunting during controlled hunts as posted at the site; bowhunting by site issued permit; application procedure to be announced) (1) (2)

k) Statewide regulations shall apply at the following sites except that:

1) Nonresident hunter quotas shall be filled by mail-in drawing. Information about specific drawing dates and application procedures will be publicly announced. Successful applicants will be issued a free permit from the site office. This permit must be in possession while hunting and must be returned and harvest reported to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.

2) Resident hunters must obtain a free permit from the site office. This permit must be in possession while hunting and must be returned and harvest reported to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.



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following year.

Jim Edgar Panther Creek State Fish and Wildlife Area (1) (4)

- \* Sangchris Lake State Park (an antlerless deer must be taken on site before an antlered deer is harvested) (1) (2) (5)

Siloam Springs State Park (1) (2) (4)

(Source: Amended at 25 Ill. Reg. ~~721~~<sup>721</sup>, effective  
MAY 22 2001)

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- 1) Heading of the Part: White-Tailed Deer Hunting by Use Of Firearms

2) Code Citation: 17 Ill. Adm. Code 650

<u>Section Numbers:</u>	<u>Adopted Action:</u>
650.20	Amendment
650.21	Amendment
650.22	Amendment
650.23	Amendment
650.30	Amendment
650.40	Amendment
650.60	Amendment
650.65	Repeal
650.67	Amendment

- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

5) Effective Date of Amendments: May 22, 2001

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? No

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: January 26, 2001, 25 Ill. Reg. 1060

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: Section 650.21(1) - changed as follows:

"Bona fide equity shareholders ~~Shareholders~~ of corporations or bona fide equity members of limited liability companies".... "bona fide equity shareholder or member, as defined in this subsection, identify authorization to hunt and identify"....

Added the following under Section 650.21(1):

"1) Bona fide equity shareholder means an individual who:

A) purchased, for market price, publicly sold stock shares in a corporation; purchased shares of a privately-held corporation for a value equal to the percentage of the

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appraised value of the corporate assets represented by the ownership in the corporation; or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership; and

B) intends to retain the ownership of the shares of stock for at least 5 years.

2) Bona fide equity member means an individual who:

A) became a member upon the formation of the limited liability company; or has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the limited liability company assets represented by the distributional interest in the limited liability company and subsequently becomes a member of the company pursuant to Article 30 of the Limited Liability Company Act; and

B) intends to retain the membership for at least 5 years."

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will these amendments replace emergency amendments currently in effect? No

14) Are there any amendments pending on this Part? No

15) Differences between proposal and final version: Amendments to this Part allow members of limited liability companies to obtain deer permits, give residents preference in the second permit lottery, clarify a hunter must bring deer to the check station whole or field dressed, clarify what ammunition can be used, open and close State-owned or managed-sites to firearm deer hunting, and repeal Section 650.65. (The Department has adopted a youth hunting Part.)

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price  
Department of Natural Resources  
524 S. Second Street, Room 430  
Springfield IL 62701-1787  
217/782-1809

The full text of the adopted amendments begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

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## TITLE 17: CONSERVATION

## CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

## SUBCHAPTER b: FISH AND WILDLIFE

## PART 650

## WHITE-TAILED DEER HUNTING BY USE OF FIREARMS

## Section

- 650.20 Statewide Deer Permit Requirements
- 650.21 Deer Permit Requirements - Landowner/Tenant Permits
- 650.22 Deer Permit Requirements - Special Hunts
- 650.23 Deer Permit Requirements - Group Hunt
- 650.30 Statewide Firearms Requirements
- 650.40 Statewide Deer Hunting Rules
- 650.50 Rejection of Application/Revocation of Permits
- 650.60 Regulations at Various Department-Owned or -Managed Sites
- 650.65 Youth Hunt (Repealed)
- 650.67 Special Hunts for Disabled Hunters
- 650.70 Special Extended Season Firearm Deer Hunt (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

SOURCE: Adopted at 5 Ill. Reg. 9771, effective September 17, 1981; codified at 5 Ill. Reg. 10640; amended at 6 Ill. Reg. 10730, effective August 20, 1982; amended at 7 Ill. Reg. 10798, effective August 24, 1983; amended at 8 Ill. Reg. 21602, effective October 23, 1984; amended at 9 Ill. Reg. 16213, effective October 10, 1985; emergency amendment at 9 Ill. Reg. 20922, effective December 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4223, effective February 25, 1986; amended at 10 Ill. Reg. 16665, effective September 22, 1986; amended at 11 Ill. Reg. 3044, effective February 3, 1987; amended at 11 Ill. Reg. 9564, effective May 5, 1987; amended at 12 Ill. Reg. 8003, effective April 25, 1988; amended at 12 Ill. Reg. 12055, effective July 11, 1988; amended at 13 Ill. Reg. 12853, effective July 21, 1989; amended at 14 Ill. Reg. 12430, effective July 20, 1990; amended at 14 Ill. Reg. 19869, effective December 3, 1990; amended at 15 Ill. Reg. 10038, effective June 24, 1991; emergency amendment at 15 Ill. Reg. 15790, effective October 22, 1991, for a maximum of 150 days; emergency expired March 21, 1992; amended at 16 Ill. Reg. 11131, effective June 30, 1992; amended at 17 Ill. Reg. 13468, effective July 30, 1993; amended at 18 Ill. Reg. 5859, effective April 5, 1994; amended at 18 Ill. Reg. 13431, effective August 23, 1994; amended at 19 Ill. Reg. 6477, effective April 28, 1995; amended at 20 Ill. Reg. 7515, effective May 20, 1996; amended at 21 Ill. Reg. 5572, effective April 19, 1997; amended at 21 Ill. Reg. 9116, effective June 26, 1997; amended at 22 Ill. Reg. 8007, effective April 28, 1998; amended at 23 Ill. Reg. 5564, effective April 26, 1999; amended at 24 Ill. Reg. 8971, effective June 19, 2000; amended at 24 Ill. Reg. 10260, effective July 1, 2000; amended at 25 Ill. Reg. 7231, effective



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**Section 650.20 Statewide Deer Permit Requirements**

- a) Illinois resident hunters must have a current, valid "Firearm Deer Permit" (\$15). Deer permit fees for non-resident firearm deer hunters shall be \$100 for each either-sex firearm permit and \$25 for each antlerless-only permit. A permit is issued for one county or special hunt area and is valid only in the county or special hunt area stated on the permit. Only applicants who receive an either-sex permit in a county or special hunt area are eligible for an antlerless-only permit for that county or special hunt area, except in counties that are specially designated for more intensive removal of does in a given year. Any such counties will be identified prior to the Random Daily Drawing Period which begins in September, and a limited number of antlerless-only permits will be made available regardless of whether applicants already possess an either-sex permit. For permit applications and other information write to:

Department of Natural Resources  
(Firearm or Landowner/Tenant or Non-Resident)  
Deer Permit Office

524 South Second Street, Room 210

P.O. Box 19227

Springfield, Illinois 62794-9227

- b) Applications from Illinois residents for participation in the First Lottery Drawing will be accepted through the last weekday in April of the current year. Nonresidents may not apply to participate in the First Lottery Drawing. Applications received after the last weekday in April will not be included in this lottery. Permits will be allocated in a computerized random drawing. Permits will be issued as either sex, antlerless only, or antlered only. A maximum of one either-sex and one antlerless-only permit shall be issued per person. Applicants for free landowner/tenant permits are not eligible to participate in the First or Second Lottery Drawings. Landowners who receive permits in the First or Second Lottery Drawing are not eligible for landowner permits.
- c) Applicants must complete all portions of the current year permit application form. Incomplete or incorrect applications will be returned along with the applicant's permit fee for correction or completion if received in the Permit Office prior to the deadline established in subsection (b).
- d) Applicants must check the second-season box if they agree to accept a second-season permit upon being rejected for a full-season permit.
- e) Applicants must check the antlerless-only box and enclose an additional \$15 (\$25 for non-residents) to apply for an additional antlerless-only permit. Antlerless-only permits will be issued until the antlerless-only quota is filled for a given county or special hunt area.

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- f) Permits for counties and special hunt areas with unfilled quotas after the First Lottery Drawing will be allocated in a Second Lottery Drawing. This drawing is open only to nonresident applicants and to Illinois residents who were not previously issued firearm or muzzleloader permits for the current hunting season. Illinois residents will be given preference for permits allocated in the Second Lottery Drawing. Applications for the Second Lottery Drawing will be accepted through the tenth weekday in August of the current year. Applicants may also apply for remaining antlerless-only permits by checking the antlerless-only box and enclosing an additional \$15 for residents and \$25 for nonresidents. A list of unfilled counties and special hunt areas will be announced upon becoming available after the First Lottery Drawing. Applicants must apply on a current year Firearm Deer Permit application form. A maximum of one either-sex and one antlerless-only permit shall be issued per person.
- g) No more than 6 single applications per envelope will be accepted during the application periods for the First and Second Lottery Drawings. Each applicant must submit a separate personal check or money order. Separate envelopes must be used to send permit applications to the Deer Permit Office for regular firearm, muzzleloading rifle, handgun, archery, and free or paid landowner/tenant permits.
- h) There will be an application period which starts the first working day after September 14 and ends the fifth weekday in November, during which anyone (regardless of any other permit they may have, subject to subsection (a)) can apply for firearm deer permits left over from the county and special hunt area quotas. During this application period, the permits shall be issued in a random daily drawing. Applications received each day will not be processed until all applications received for that day are mixed. All applications received on a specific day will be processed before processing applications received for a subsequent day. All applications for the Random Daily Drawing will be processed individually (i.e., no group applications will be processed). Applicants can apply for one or more permits during this application period. Full-season antlerless-only permits shall only be issued to successful applicants that have full-season either-sex permits in the county applied for. Second-season antlerless-only permits shall be issued to successful applicants that have either full-season or second-season either-sex permits in the county applied for. Applicants submitting applications within the 20 working days prior to the start of the first season cannot be guaranteed a permit by the start of the first deer hunting season. Applicants must print "September Drawing - Multiple Permits" on the outside of the envelope and mark the "September Drawing - Multiple Permits" box on the firearm deer permit application.
- i) Hunter preference in obtaining a permit during the First Lottery Drawing will be given: to individuals that applied for an either-sex permit in the previous year's First Lottery Drawing who were rejected



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because the quota was depleted in their county choice(s); or to applicants that received, in the previous year, a second season either-sex permit in the First Lottery Drawing only. In order to be eligible for preference during the First Lottery Drawing, the second season box must have been checked on the application form of unsuccessful applicants when they were rejected. Preference will not be granted to applicants who received a full-season either-sex permit but who did not receive an antlerless-only permit. Persons with lottery preference will have first chance at receiving available either-sex permits. The following criteria must be met to obtain a preference in the First Lottery Drawing:

- 1) The applicant must apply using the official Department application.
- 2) The applicant must be a resident of the State, be eligible to receive a Firearm Deer Permit, and not had deer hunting privileges revoked pursuant to Section 650.50.
- 3) The applicant must apply for the same county choice(s) which he/she listed on the previous year's application. Preference will not be granted for special hunt areas.
- j) Applications may be accepted at the counter window of the permit office; however, permits will be mailed. In-person and mail-in applications will receive equal treatment in the drawings.
- k) Permits are not transferable. Refunds will not be granted, unless the Department of Natural Resources has erroneously issued the permit after the quota has been depleted or where the applicant was unsuccessful in obtaining a permit.
- l) A \$3 service fee will be charged for replacement permits issued by the Department, except when permits are lost in the mail, then there will be no charge. Monies derived from this source will be deposited in the Wildlife and Fish Fund.
- m) The periods for accepting applications for the First and Second Lottery periods may be extended if applications are not available to the public by April 1. A news release will announce the extension of the application periods.

(Source: Amended MAY 2, 1991 at 25 Ill. Reg. 7231-3, effective 7/1/91)

## Section 650.21 Deer Permit Requirements - Landowner/Tenant Permits

- a) The immediate family of a landowner or tenant is defined as, and limited to, the spouse, children, or parents permanently residing on the same property as the landowner or tenant.
- b) A tenant for the purpose of this Part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit.
- c) Resident Illinois landowners who own 40 acres or more of land and

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resident tenants renting or leasing 40 acres or more of commercial agricultural land, and members of their immediate family, may apply for a free either-sex permit for their property only in counties open for firearm deer hunting. Recipients of the free either-sex permit will also be given a free antlerless-only permit for their property only. Nonresident Illinois landowners (of 40 acres or more land) are also eligible to apply for one either-sex permit and one antlerless-only permit for their property only. The fee to nonresident Illinois landowners (of 40 acres or more land) for permits for their property only shall be \$50 for the either-sex permit and \$25 for the antlerless-only permit. These applications will not be subject to the public lottery process. This deer hunting permit shall be valid on all farmlands which the person to whom it is issued owns, leases or rents [525 ILCS 5/2.26] in counties open for firearm deer hunting.

- d) Bonafide Illinois landowners or tenants who do not wish to hunt only on the land they own, rent, or lease must apply for permits in the same manner as the applicant who is not a landowner or tenant. However, resident Illinois landowners who own 40 acres or more of land, and resident tenants leasing or renting 40 acres or more of commercial agricultural land, who apply during the First Lottery application period for a permit to hunt in the county in which they own or lease land and are rejected because the county quota is full, may apply for a county-wide paid landowner firearm deer permit to hunt in the county where the land is located. Members of the immediate family of the landowner or tenant are also eligible to apply for a county-wide paid landowner firearm deer permit if they were rejected in the First Lottery. Applications for county-wide paid landowner deer permits will be accepted from August 1 through the last working day in August. Incomplete applications will be returned. The fee for a county-wide either-sex paid landowner deer permit shall be the same as for permits for hunters that are not landowners or tenants. Landowners and tenants, and their immediate families, who did not apply for permits in the First Lottery and subsequently fail to receive them, are not eligible to apply for or receive county-wide paid landowner deer permits.
- e) Date of acceptance of landowner/tenant property-only permit applications will be publicly announced.
- f) Landowners and resident tenants are not required to participate in the public drawing for permits in order to apply for and receive a property-only permit.
- g) Proof of ownership for all landowner or tenant applications must be provided by one of the following methods:
  - 1) Submittal of a copy of property deed;
  - 2) Submittal of a copy of contract for deed;
  - 3) Submittal of a copy of the most recent real estate tax statement for the property (upon which the landowner's name appears as landowner, or person signing application appears as landowner);



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- 4) Submittal of a copy of a Farm Service Agency 156EZ form; or
- 5) Submittal of a copy of a trust agreement which must indicate that the trust owns at least 40 acres and the applicant is a current income beneficiary of the trust.
- h) Tenant permit applicants are required to submit, in addition to the landowner certification and proof of ownership, a copy of one of the following:
- 1) A copy of a lease or a rental agreement, file stamped as recorded by the County Clerk, covering the current year; or
  - 2) A copy of a Farm Service Agency 156EZ form.
- i) A hunting rights lease, or other non-agricultural lease, is not valid as a basis for obtaining a landowner or tenant permit.
- j) County-wide permit holders are authorized to firearm deer hunt only in the county identified on the deer permit and only on property where permission to hunt has been obtained from the property owner.
- k) If the property is owned or rented by more than one person: Only one landowner (and his immediate family) or one tenant (and his immediate family) shall be issued a permit on a first-come, first-served basis for every 40 acres of owned or rented land. For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate family may receive deer permits.
- l) Bona fide equity shareholders of corporations or bona fide equity members of limited liability companies owning 40 or more acres of land in a county may apply for one either-sex permit to hunt the corporation or limited liability company lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county, shall be issued based on ownership of lands by corporations or limited liability companies. Lands leased to corporations or limited liability companies shall not be considered as a basis for a permit for the shareholders/members of the lessee. Lands held in trust by corporations or limited liability companies shall not be considered as a basis for a permit by the shareholders/members of the trustee. If application is made for a permit based upon lands owned by the corporation or limited liability company, a duly authorized officer of the corporation or limited liability company must sign a notarized statement authorizing the applicant to hunt on the corporate or company lands for which a permit is being requested. This statement must identify the applicant as a bona fide equity shareholder or member, as defined in this subsection, identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation or limited liability company lands. This document must be attached to the application upon submittal to the Permit Office. The shareholder/member either-sex permit shall be free to resident shareholders/members, and the cost to nonresident shareholders/members shall be \$50. An antlerless-only shareholder/member permit (free to resident shareholders/members; \$25 to nonresident shareholders/members) will be made available if in the best interest of managing the deer herd.

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- 1) Bona fide equity shareholder means an individual who:
- A) purchased, for market price, publicly sold stock shares in a corporation; purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation; or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership; and
  - B) intends to retain the ownership of the shares of stock for a least 5 years.
- 2) Bona fide equity member means an individual who:
- A) became a member upon the formation of the limited liability company; or has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the limited liability company assets represented by the distributional interest in the limited liability company and subsequently becomes a member of the company pursuant to Article 30 of the Limited Liability Company Act; and
  - B) intends to retain the membership for at least 5 years.
- m) Landowners or tenants that apply for or receive property-only landowner/tenant firearm deer permits may not apply for additional permits in the First or Second Lottery Drawing. Landowners or tenants that apply for county-wide paid landowner firearm deer permits must have been rejected in the First Lottery drawing for a permit in the county in which they own or lease land, and they may not apply for additional permits in the Second Lottery Drawing.
- (Source: Amended at 25 Ill. Reg. 7231-3 effective MAY 28 /00)
- Section 650.22 Deer Permit Requirements - Special Hunts**
- a) Special hunt sites are defined as those sites which are owned or controlled by agencies/entities other than the Department, or sites at which the Department only controls a portion of the property designated for deer hunting, which issue deer hunting permits through the statewide lottery process. The Permit Office issues deer hunting permits through a computerized drawing for sites listed below, in addition to the Department-owned or -managed sites listed in Section 650.60(i). The permit preference system does not apply to special hunt areas or to State sites allocating permits in the lottery.
- 1) A.E.S. Duck Creek (Fulton County, first season only)
  - 2) A.E.S. Duck Creek Handicapped (Fulton County, first season only)
  - 3) Crab Orchard National Wildlife Refuge (the first and second season are considered separate hunt choices, and permit



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applicants must specify which season they are applying for in the County Choice or Hunt Area field of the application. Permits may be issued as antlerless-only without the normal bonus requirement. Standby hunting will be allowed if additional permits are available at the site)

- 4) Crab Orchard National Wildlife Refuge - Disabled Hunt (first season only)
- 5) Joliet Army Training Area (Will County)
- 6) Lake Shelbyville Project Lands (Moultrie County) (it is unlawful to drive deer)
- 7) Lake Shelbyville Project Lands except Wolf Creek State Park (Shelby County) (it is unlawful to drive deer)
- 8) Midewin National Tallgrass Prairie (permits may be issued as antlerless-only without normal bonus requirements) (4)
- 9) Savanna Army Depot (Jo Daviess County)
- 10) Touch-of-Nature---Southern-Illinois--University---disabled---hunt (Jackson County, second-season-only)

- b) Each applicant must enclose a separate fee (check or money order) payable to the Department of Natural Resources, or the application will be returned. Applicants should not send cash with their applications. The Department will not be responsible for cash sent through the mail.

(Source: Amended at 25 Ill. Reg. 7231 effective MAY 22 2001)

## Section 650.23 Deer Permit Requirements - Group Hunt

- a) Up to six individuals may apply to hunt as a group during the First and Second Lottery Drawings. If applicants are applying in a group, all applications for the group must be sent to the Department in the same envelope. All applications for the group will be processed together only if they are received in the same envelope. Any applications indicating participation in a group that are not received in the same envelope will be processed separately.
- b) Each individual must sign his or her own application.
- c) Applicant must enclose a separate check or money order for the appropriate amount for each application or the applications will be returned.
- d) In order to receive preference for the group, all members must have preference for the same county choice. If any member does not have preference for the group's county choice, the entire group will not receive preference.
- e) Applicants applying as a group will be rejected if they do not list the same county or special hunt area choice, complete the group leader information listing the identical group leader, and complete the second-season option box identically.
- f) Since Illinois residents are given preference for permits allocated in

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the Second Lottery Drawing, groups containing both resident and non-resident applicants will be treated as non-residents.

(Source: Amended at 25 Ill. Reg. 7231 effective MAY 22 2001)

## Section 650.30 Statewide Firearms Requirements

- a) The only legal hunting devices to take, or attempt to take, deer are:
  - 1) Shotgun, loaded with slugs only, of not larger than 10 nor smaller than 20 gauge, not capable of firing more than 3 consecutive slugs; or
  - 2) A single or double barreled muzzleloading firearm of at least .45 caliber shooting a single projectile through a barrel of at least sixteen inches in length.
  - 3) The minimum size of the firearm projectile shall be .44 caliber. A wad or sleeve is not considered a projectile or a part of the projectile.
- b) The standards and specifications for use of such muzzleloading firearms are as follows:
  - 1) A muzzleloading firearm is defined as a blackpowder firearm that is incapable of being loaded from the breech end.
  - 2) The minimum size of the muzzleloading firearm projectile shall be .44 caliber. A wad or sleeve is not considered a projectile or a part of the projectile. Full metal jacket bullets cannot be used to harvest white-tailed deer.
  - 23) Only black powder or a "black powder substitute" such as Pyrodex may be used. Modern smokeless powders (nitrocellulose-based) do not qualify as a "black powder substitute".
  - 34) Percussion caps, wheellock, matchlock or flint type ignition only may be used.
  - 45) Removal of percussion cap or removal of prime powder from frizzen pan with frizzen open and hammer all the way down or removal of prime powder from flashpan and wheel un-wound or removal of prime powder and match with match not lit shall constitute an unloaded muzzleloading firearm.
  - c) Non-expanding, military-style full metal jacket bullets cannot be used to harvest white-tailed deer; only soft point or expanding bullets (including copper/copper alloy rounds designed for hunting) are legal ammunition.

(Source: Amended at 25 Ill. Reg. 7231 effective MAY 22 2001)

## Section 650.40 Statewide Deer Hunting Rules

- a) The bag limit is one deer per legally authorized eligible, antlered-only or antlerless-only permit. All either-sex permits and



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antlered-only permits are subject to the following restriction: no hunter, regardless of the quantity or type of permits in his/her possession, may harvest more than 2 antlered deer during a year, including the archery, muzzleloader, and firearm seasons. For purposes of this Section, deer seasons are considered to be in the same year if their opening dates fall within the same 12-month period that begins on July 1. A hunter in possession of an either-sex permit after having harvested 2 antlered deer during a year, as defined above, may only use the permit to harvest an antlerless deer. Subject to this restriction, an either-sex permit holder is allowed to take a deer with or without antlers and an antlered-only permit holder is allowed to take only a deer having at least one antler of a length of 3 or more inches. An antlerless only permit holder is allowed to take only a deer without antlers or a deer having antlers less than 3 inches long.

- b) Recipients of the Firearm Deer Hunting Permit shall record their signature on the permit and must carry it on their person while hunting.
- c) The temporary harvest tag shall be attached and properly sealed immediately upon kill and before the deer is moved, transported or field dressed. No person shall leave any deer that has been killed without properly attaching the temporary harvest tag to the deer. The temporary harvest tag should be attached around the base of the antler of antlered deer (antlers 3 or more inches in length), and attached to the leg of antlerless deer (<3 inch antler length, or no antlers). If the head/antlers are delivered to a taxidermist for processing, the temporary harvest tag must accompany them and be kept with the head/antlers while at the taxidermist. If the carcass is taken to a meat processor, the permanent harvest tag must remain attached to the leg of the deer until it is processed, then must remain with the processed deer until it is at the legal residence of the person who legally took or possessed the deer. The deer shall be taken whole (or field dressed) to the designated check station (either the county check station or the nearest check station to the site of the kill) by the hunter in person by 8:00 p.m. of the day the deer was killed. The deer may not be quartered as during the archery deer season (17 Ill. Adm. Code 670.55). If a hunter is not able to locate a harvested deer in sufficient time to enable checking the deer by 8:00 p.m., the hunter must take the deer to the appropriate check station upon its opening (8:00 a.m.) the following morning, or immediately upon retrieving it if that occurs later than the opening of the check station. If this situation occurs on a Sunday (e.g., the check station will not be open on Monday), the hunter must contact the appropriate regional DNR Law Enforcement Office by 10:00 a.m. Monday morning for instructions on checking in the deer. Deer shall be checked--in--by--the--hunter--in--person--by--8:00 p.m.--the--same--day--it--is--killed--either--at--the--county--check--station--or--the--nearest--check--station--to--the--kill--site. Failure to follow this Section constitutes

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illegal possession of deer. Site specific reporting requirements must be followed in addition to this Section. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with their deer permit number to verify lawful acquisition. In the absence of a permit number, the tanner may rely on the written certification of the person from whom the deer was received that the specimen was legally taken or obtained.

- d) Hunters shall not have in their possession, while in the field during firearm deer season, any deer permit issued to another person (permits are non-transferable).
- e) Permits will not be re-issued in cases involving deer taken which are found to be diseased or spoiled due to previous injury. Legal disposal of unfit deer taken shall be the responsibility of the hunter.

(Source: Amended at 25 Ill. Reg. 7231-3, effective MAY 22 2001)

## Section 650.60 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 - General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) It is unlawful to drive deer, or participate in a deer drive, on all Department-owned or -managed properties. A deer drive is defined as a deliberate action by one or more persons (whether armed or unarmed) whose intent is to cause deer to move within firearm range of one or more participating hunters.
- c) Only one tree stand is allowed per deer permit holder. These tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that they may be left unattended from September 15 - January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended overnight must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.
- d) Check-in, check-out, and reporting of harvest is required at those sites listed in this Section that are followed by a (2).
- e) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (3).
- f) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (4).
- g) Youth-hunters must be accompanied by a parent or legal guardian--while hunting--at--those--sites--listed--in--this--Section--and--Section--650.65 followed--by--a--(6)--Also--the--parent--or--guardian--may--hunt--if--he--or--she has--a--valid--firearm--deer--permit--for--the--county--in--which--the--specific

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~~site-is-located-or-if-site-is-followed-by-(5)-~~

gh) Statewide regulations shall apply at the following sites:

Cache River State Natural Area (1) (2)

Campbell Pond (1) (2)

Carlyle Lake Lands and Waters (Corps of Engineers managed lands)

Carlyle Lake Wildlife Management Area (except subimpoundment area)

Chauncey Marsh (1) (2)

Crawford County Conservation Area (1) (2)

Cypress Creek National Wildlife Refuge

Cypress Pond State Natural Area (1) (2)

Dog Island Wildlife Management Area (1) (2)

Ferne Clyffe State Park (1) (2)

Fort de Chartres State Historic Site (muzzleloading rifles only) (1) (2)

Giant City State Park (1) (2)

Hamilton County Conservation Area (1) (2)

Horseshoe Lake Conservation Area - Alexander County (all portions of the Public Hunting Area except the Controlled Goose Hunting Area) (1) (2)

I-24 Wildlife Management Area (1) (2)

Kaskaskia River Fish and Wildlife Area (1) ~~(Boza-Creek--Waterfowl Management--Area--closed--during-duck-season)~~ (2, except south of Highway 154 and north of Highway 13) ~~(Doza Creek Waterfowl Management Area closed during duck season)~~

Kinkaid Lake Fish and Wildlife Area (1) (2)

Lake Le Aqua Na State Park (standby hunting allowed during the first season if all blinds not filled by youth hunters)

Mermet Lake Conservation Area (1) (2)

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Mississippi Fish and Waterfowl Management Area - Pools 25 and 26

Mississippi River Pool 16 (1)

Mississippi River Pools 17, 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Newton Lake Fish and Wildlife Area (2)

Oakford Conservation Area (1)

Pere Marquette State Park (hunting in designated areas only) (2)

Rend Lake Project Lands and Waters (1) State--Fish--and--Wildlife Area

Saline County Fish and Wildlife Area (1) (2)

Sangamon-County-Conservation-Area

Sanganois State Wildlife Area (1)

Sielbeck Forest Natural Area (1) (2)

Starved--Rock/Matthiessen--Bells--State-Park--(Monday--Tuesday-and Wednesday-before-the-first-statewide-firearm--deer--season--only) (antierless-deer-only)-(2)-(5)

Starved--Rock/Matthiessen--Bells--State-Park--(Monday--Tuesday-and Wednesday-before-the-second-statewide-firearm--deer--season--only) (antierless-deer-only)-(2)-(5)

Ten Mile Creek Fish and Wildlife Area (1); Belle Rive Unit only (3)

Trail of Tears State Forest (1) (2)

Turkey Bluffs Fish and Wildlife Area (1) (2)

Union County Conservation Area (Firing Line Unit only) (1) (2)

Weinberg-King State Park (2)

Wildcat Hollow State Forest (1)

ht) Statewide regulations shall apply at the following sites by special permit allocated through the regular statewide drawing. Season dates



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that differ from the statewide dates are in parentheses. Sites that offer standby hunting are followed by a (5). At sites offering standby hunting, permit holders must register at the check station by 5:00 a.m. each day of the hunt. Unvalidated permits are void after 5:00 a.m. Vacancies each day will be filled by a drawing held at 5:00 a.m. Vacancies may be filled by any person holding a valid hunting license, Habitat Stamp, and Firearm Owner Identification Card, unless exempt. Standby hunters will be issued a one-day site-specific deer permit at the check station, and charged a permit fee of \$5. All hunters must check out and report harvest.

Apple River Canyon State Park - Thompson and Salem Units (first or second season only) (2)

Argyle Lake State Park Recreation Area (5)

Beall Woods State Park (first-or-second-season-only; antlerless deer only) (1) (2) (5)

Big River State Forest (5)

Castle Rock State Park (first or second season only) (antlerless only) (1) (2) (5)

Coffeen Lake State Fish and Wildlife Area

Des Plaines Conservation Area (first season only) (2) (5)

East Conant Field (1) (3)

Fort Massac State Park (second season only) (antlerless deer only) (2)

Fox Ridge State Park (1)

Goose Lake Prairie State Natural Area Park (tree stands not allowed; first or second season only; antlerless deer only; "Texas" style tripod stands allowed) (2) (5)

Green River State Wildlife Area (first or second season only) (1) (2) (5)

Harry "Babe" Woodyard State Natural Area (2) (3)

Heidecke State Fish and Wildlife Area (first or second season only) (2) (4) (5)

Hidden Springs State Forest

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Horseshoe Lake Conservation Area - Alexander County (Refuge, last Saturday in October; antlerless only) (5)

Hurricane Creek Habitat Area

Iroquois County Conservation Area/Hooper Branch (first season only) (2) (5)

Iroquois County Conservation Area---(Hooper Branch only) (second season only) (2) (5)

Jim Edgar Panther Creek State Fish and Wildlife Area (1) (2) (3)

Jim Edgar Panther Creek State Fish and Wildlife Area (West Open Unit) (1) (2) (3)

Kickapoo State Recreation Area Park (2)

Lowden-Miller State Forest (first season only) (1) (2) (3) (5)

Lowden-Miller State Forest (second season only) (1) (2) (3) (5)

Mackinaw River Fish and Wildlife Area (1) (2) (5)

Marseilles Fish and Wildlife Area (first season only) (all tree stands must be removed no later than the last day of the archery deer season) (1) (2) (5)

Marseilles Fish and Wildlife Area (second season only) (all tree stands must be removed no later than the last day of the archery deer season) (1) (2) (5)

Marshall Fish and Wildlife Area (2) (5)

Middle Fork Fish and Wildlife Area (2)

Mississippi Palisades State Park (first season only)

Momence Wetlands

Morrison-Rockwood State Park (first season only) (5)

Panther-Creek-Conservation-Area-(1)-(2)-(3)

Pyramid State Park (1) (2)

Ray Norbut Fish and Wildlife Conservation Area (2) (5)

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Sahara Woods (1) (2)

Sand Ridge State Forest (1) (2)

Sangamon County Conservation Area (1)Sate Field (1) (3)

Siloam Springs State Park (2) (3)

Starved Rock/Mattheissen Dells State Park (Monday, Tuesday and Wednesday before the first statewide firearm deer season only) (antlerless deer only) (2) (5)Starved Rock/Mattheissen Dells State Park (Monday, Tuesday and Wednesday before the second statewide firearm deer season only) (antlerless deer only) (2) (5)

Tapley Woods State Natural Area (first or second season only) (2)

Witkowsky State Wildlife Area (first or second season only) (2)

Wolf Creek State Park (participants in the Corps of Engineers special disabled hunt program disabled hunters are exempt from site's antler restrictions) (3)

(Source: Amended at 25 Ill. Reg. 7231-3, effective MAY 22 2000)

## Section 650.65 Youth Hunt (Repealed)

Statewide--regulations--shall--apply--except--as--noted--in--parentheses--at--the following--sites--by--special--permit--allocated--through--the--regular--statewide drawing--Shooting--is--allowed--from--elevated--tree--stands--only--except--as--noted--in parentheses--Applicants--must--be--between--the--ages--of--10-15.

Grab-Orchard-National-Wildlife-Refuge-(first-season-only)-(1)-(2)

Bixon-Springs-State-Park-(1)-(2)-(6)

Port-Massac-State-Park-(first-season-only)-(1)-(2)-(6)

Bake--Be--Aqua--Na--State--Park--(hunting--from--Department--established ground--blinds--only--first--season--only--participants--other--than youth--hunters--may--only--take--antlerless--deer)-(1)-(2)-(5)-(6)

(Source: Repealed at 25 Ill. Reg. 7231-3, effective MAY 22 2000)

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## Section 650.67 Special Hunts for Disabled Hunters

Statewide regulations shall apply; season dates shall be the Thursday, Friday, and Saturday immediately prior to the first firearm deer season, and the Thursday, Friday, and Saturday immediately following the second weekend of the regular firearm season unless otherwise noted in parentheses. Permit applications may be obtained from the appropriate Illinois Department of Natural Resources regional office, and completed applications must be returned to that office by the third Friday in October. Disabled hunters must possess a Class P2A disability card in order to be eligible for the drawing. All participating hunters must show proof of passing the Illinois Hunter Safety Course or an equivalent State program for nonresidents unless otherwise noted in parentheses. Additional regulations will be publicly announced.

Clinton Lake State Recreation Area (Mascoutin State Park) (2) (5)

Rock Cut State Park (participants other than disabled hunters must take an antlerless deer before taking an antlered deer) (2) (5)

Starved Rock State Park (Monday, Tuesday and Wednesday before the first statewide firearm deer season only; antlerless deer only; hunter safety course not required) (2) (5)

Starved Rock State Park (Monday, Tuesday and Wednesday before the second statewide firearm deer season only; antlerless deer only; hunter safety course not required) (2) (5)

(Source: Amended at 25 Ill. Reg. 7231-3, effective MAY 22 2000)



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- 1) Heading of the Part: Income Tax
- 2) Code Citation: 86 Ill. Adm. Code 100
- 3) Section Number: 100.3380  
Adopted Action: Amendment
- 4) Statutory Authority: 35 ILCS 5/304(f)
- 5) Effective Date of Amendment: May 25, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 23, 2001, 25 Ill. Reg. 2973
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Difference between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? Yes

<u>Section Number</u>	<u>Proposed Action</u>	<u>IL Register Citation</u>
100.9720	New Section	03/02/01, 25 Ill. Reg. 3211

- 15) Summary and Purpose of Amendment: This rulemaking amends Section 100.3380 to clarify the statutory authority for the provisions in that Section. That authority is contained in Section 304(f) of the Illinois Income Tax Act, which permits the Department of Revenue to require a taxpayer to use alternative methods of apportioning its business income between Illinois and the other states when the statutorily-prescribed method does not fairly represent the extent of the taxpayer's business activity in Illinois. The amendment also provides that the Department will exercise its authority to require use of alternative apportionment methods only by regulation, and will only require the use of a particular method to

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apportion income in tax years ending after the effective date of the rulemaking prescribing that method, except in the case of a taxpayer who has voluntarily been using that method in earlier years. Also, the Department will permit a taxpayer to use a particular method for tax years ending before the effective date of the rulemaking prescribing that method if the taxpayer so requests.

The rulemaking also adopts a new apportionment method, which requires taxpayers whose income from foreign sources is excluded from federal taxable income tax (and, therefore, from net income subject to Illinois income tax) to apportion their taxable business income using only their domestic apportionment factors. In other words, the apportionment factors associated with the excluded income are excluded from the apportionment formula.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Paul Caselton  
Deputy General Counsel - Income Tax  
Illinois Department of Revenue  
Legal Services Office  
101 West Jefferson  
Springfield, Illinois 62794  
(217) 782-7055

The full text of the adopted amendment begins on the next page:

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TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUEPART 100  
INCOME TAX

## SUBPART A: TAX IMPOSED

Section  
100.2000 Introduction  
100.2050 Net Income (IITA Section 202)

## SUBPART B: CREDITS

Section  
100.2100 Replacement Tax Investment Credit Prior to January 1, 1994 (IITA 201(e))  
100.2101 Replacement Tax Investment Credit (IITA 201(e))  
100.2110 Investment Credit; Enterprise Zone (IITA 201(f))  
100.2120 Jobs Tax Credit; Enterprise Zone and Foreign Trade Zone or Sub-Zone (IITA 201(g))  
100.2130 Investment Credit; High Impact Business (IITA 201(h))  
100.2140 Credit Against Income Tax for Replacement Tax (IITA 201(i))  
100.2150 Training Expense Credit (IITA 201(j))  
100.2160 Research and Development Credit (IITA 201(k))  
100.2165 Education Expense Credit (IITA 201(m))  
100.2170 Tax Credits for Coal Research and Coal Utilization Equipment (IITA 206)  
100.2180 Credit for Residential Real Property Taxes (IITA 208)  
100.2195 Dependent Care Assistance Program Tax Credit (IITA 210)

SUBPART C: NET OPERATING LOSSES OF UNITARY BUSINESS GROUPS  
OCCURRING PRIOR TO DECEMBER 31, 1986

Section  
100.2200 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (IITA Section 202) - Scope  
100.2210 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Definitions  
100.2220 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Current Net Operating Losses; Offsets Between Members  
100.2230 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Carrybacks and Carryforwards

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100.2240 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Effect of Combined Net Operating Loss in Computing Illinois Base Income  
100.2250 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Deadline for Filing Claims Based on Net Operating Losses Carried Back From a Combined Apportionment Year

SUBPART D: ILLINOIS NET LOSS DEDUCTIONS OCCURRING ON OR AFTER  
DECEMBER 31, 1986

Section  
100.2300 Illinois Net Loss Deductions for Losses Occurring On or After December 31, 1986  
100.2310 Computation of the Illinois Net Loss Deduction  
100.2320 Determination of the Amount of Illinois Net Loss Carryovers  
100.2330 Illinois Net Loss Carrybacks and Net Loss Carryovers for Losses Occurring on or After December 31, 1986  
100.2340 Illinois Net Loss Deductions of Corporations That are Members of a Unitary Business Group: Separate Unitary Versus Combined Unitary Returns  
100.2350 Illinois Net Loss Deductions of Corporations that are Members of a Unitary Business Group: Changes in Membership

SUBPART E: ADDITIONS TO AND SUBTRACTIONS FROM TAXABLE INCOME OF INDIVIDUALS,  
CORPORATIONS, TRUSTS AND ESTATES AND PARTNERSHIPS

Section  
100.2470 Subtraction of Amounts Exempt from Taxation by Virtue of Illinois Law, the Illinois or U.S. Constitutions, or by Reason of U.S. Treaties or Statutes (IITA Sections 203(a)(2)(N), 203(b)(2)(J), 203(c)(2)(K) and 203(d)(2)(G))  
100.2480 Enterprise Zone Dividend Subtraction (IITA Sections 203(a)(2)(J), 203(b)(2)(K), 203(c)(2)(M) and 203(d)(2)(K))

## SUBPART F: BASE INCOME OF INDIVIDUALS

Section  
100.2580 Medical Care Savings Accounts (IITA Sections 203(a)(2)(D-5), 203(a)(2)(S) and 203(a)(2)(T))  
100.2590 Taxation of Certain Employees of Railroads, Motor Carriers, Air Carriers and Water Carriers

## SUBPART G: BASE INCOME OF TRUSTS AND ESTATES

Section



## DEPARTMENT OF REVENUE

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100.2680 Capital Gain Income of Estates and Trusts Paid to or Permanently Set Aside for Charity (Repealed)

SUBPART I: GENERAL RULES OF ALLOCATION AND APPORTIONMENT OF  
BASE INCOME

Section  
100.3000 Terms Used in Article 3 (IITA Section 301)  
100.3010 Business and Nonbusiness Income (IITA Section 301)  
100.3020 Resident (IITA Section 301)

SUBPART J: COMPENSATION PAID TO NONRESIDENTS

Section  
100.3100 Compensation (IITA Section 302)  
100.3110 State (IITA Section 302)  
100.3120 Allocation of Compensation Paid to Nonresidents (IITA Section 302)

SUBPART K: NON-BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

Section  
100.3200 Taxability in Other State (IITA Section 303)  
100.3210 Commercial Domicile (IITA Section 303)  
100.3220 Allocation of Certain Items of Nonbusiness Income by Persons Other than Residents (IITA Section 303)

SUBPART L: BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

Section  
100.3300 Allocation and Apportionment of Base Income (IITA Section 304)  
100.3310 Business Income of Persons Other than Residents (IITA Section 304) - In General  
100.3320 Business Income of Persons Other Than Residents (IITA Section 304) - Apportionment (Repealed)  
100.3330 Business Income of Persons Other Than Residents (IITA Section 304) - Allocation  
100.3340 Business Income of Persons Other Than Residents (IITA Section 304)  
100.3350 Property Factor (IITA Section 304)  
100.3360 Payroll Factor (IITA Section 304)  
100.3370 Sales Factor (IITA Section 304)  
100.3380 Special Rules (IITA Section 304)  
100.3390 Petitions for Alternative Allocation or Apportionment (IITA Section 304(f))

SUBPART N: TIME AND PLACE FOR FILING RETURNS

Section  
100.5000 Time for Filing Returns: Individuals (IITA Section 505)

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100.5010 Place for Filing Returns: All Taxpayers (IITA Section 505)  
100.5020 Extensions of Time for Filing Returns: All Taxpayers (IITA Section 505)

100.5030 Taxpayer's Notification to the Department of Certain Federal Changes Arising in Federal Consolidated Return Years, and Arising in Certain Loss Carryback Years (IITA Section 506)  
100.5040 Innocent Spouses

SUBPART O: COMPOSITE RETURNS

Section  
100.5100 Composite Returns: Eligibility  
100.5110 Composite Returns: Responsibilities of Authorized Agent  
100.5120 Composite Returns: Individual Liability  
100.5130 Composite Returns: Required forms and computation of Income  
100.5140 Composite Returns: Estimated Payments  
100.5150 Composite Returns: Tax, Penalties and Interest  
100.5160 Composite Returns: Credit for Resident Individuals  
100.5170 Composite Returns: Definition of a "Lloyd's Plan of Operation"

SUBPART P: COMBINED RETURNS

Section  
100.5200 Filing of Combined Returns  
100.5201 Definitions and Miscellaneous Provisions Relating to Combined Returns  
100.5205 Election to File a Combined Return  
100.5210 Procedures for Elective and Mandatory Filing of Combined Returns  
100.5220 Designated Agent for the Members  
100.5230 Combined Estimated Tax Payments  
100.5240 Claims for Credit of Overpayments  
100.5250 Liability for Combined Tax, Penalty and Interest  
100.5260 Combined Amended Returns  
100.5265 Common Taxable Year  
100.5270 Computation of Combined Net Income and Tax  
100.5280 Combined Return Issues Related to Audits

SUBPART Q: REQUIREMENT AND AMOUNT OF WITHHOLDING

Section  
100.7000 Requirement of Withholding (IITA Section 701)  
100.7010 Compensation Paid in this State (IITA Section 701)  
100.7020 Transacting Business Within this State (IITA Section 701)  
100.7030 Payments to Residents (IITA Section 701)  
100.7040 Employer Registration (IITA Section 701)  
100.7050 Computation of Amount Withheld (IITA Section 701)  
100.7060 Additional Withholding (IITA Section 701)  
100.7070 Voluntary Withholding (IITA Section 701)

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100.7080 Correction of Underwithholding or Overwithholding (IITA Section 701)  
 100.7090 Reciprocal Agreement (IITA Section 701)  
 100.7095 Cross References

## SUBPART R: AMOUNT EXEMPT FROM WITHHOLDING

Section  
 100.7100 Withholding Exemption (IITA Section 702)  
 100.7110 Withholding Exemption Certificate (IITA Section 702)  
 100.7120 Exempt Withholding Under Reciprocal Agreements (IITA Section 702)

## SUBPART S: INFORMATION STATEMENT

Section  
 100.7200 Reports for Employee (IITA Section 703)

## SUBPART T: EMPLOYER'S RETURN AND PAYMENT OF TAX WITHHELD

Section  
 100.7300 Returns of Income Withheld from Wages (IITA Section 704)  
 100.7310 Quarterly Returns Filed on an Annual Basis (IITA Section 704)  
 100.7320 Time for Filing Returns (IITA Section 704)  
 100.7330 Payment of Tax Deducted and Withheld (IITA Section 704)  
 100.7340 Correction of Underwithholding or Overwithholding (IITA Section 704)

## SUBPART U: COLLECTION AUTHORITY

Section  
 100.9000 General Income Tax Procedures (IITA Section 901)  
 100.9010 Collection Authority (IITA Section 901)  
 100.9020 Child Support Collection (IITA Section 901)

## SUBPART V: NOTICE AND DEMAND

Section  
 100.9100 Notice and Demand (IITA Section 902)

## SUBPART W: ASSESSMENT

Section  
 100.9200 Assessment (IITA Section 903)  
 100.9210 Waiver of Restrictions on Assessments (IITA Section 907)

## SUBPART X: DEFICIENCIES AND OVERPAYMENTS

Section  
 100.9300 Deficiencies and Overpayments (IITA Section 904)

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100.9310 Application of Tax Payments Within Unitary Business Groups (IITA Section 603)  
 100.9320 Limitations on Notices of Deficiency (IITA Section 905)  
 100.9330 Further Notices of Deficiency Restricted (IITA Section 906)

## SUBPART Y: CREDITS AND REFUNDS

Section  
 100.9400 Credits and Refunds (IITA Section 909)  
 100.9410 Limitations on Claims for Refund (IITA Section 911)  
 100.9420 Recovery of Erroneous Refund (IITA Section 912)

## SUBPART Z: INVESTIGATIONS AND HEARINGS

Section  
 100.9500 Access to Books and Records (IITA Section 913)  
 100.9505 Access to Books and Records -- 60-Day Letters (IITA Section 913) (Repealed)

100.9510 Taxpayer Representation and Practice Requirements  
 100.9520 Conduct of Investigations and Hearings  
 100.9530 Books and Records

## SUBPART AA: JUDICIAL REVIEW

Section  
 100.9600 Administrative Review Law (IITA Section 1201)

## SUBPART BB: DEFINITIONS

Section  
 100.9700 Unitary Business Group Defined (IITA Section 1501)  
 100.9710 Financial Organizations (IITA Section 1501)

## SUBPART CC: LETTER RULING PROCEDURES

Section  
 100.9800 Letter Ruling Procedures

APPENDIX A Business Income Of Persons Other Than Residents  
 TABLE A Example of Unitary Business Apportionment

TABLE B Example of Unitary Business Apportionment for Groups Which Include Members Using Three-Factor and Single-Factor Formulas

AUTHORITY: Implementing the Illinois Income Tax Act [35 ILCS 5] and authorized by Section 1401 of the Illinois Income Tax Act [35 ILCS 5/1401].

SOURCE: Filed July 14, 1971, effective July 24, 1971; amended at 2 Ill. Reg. 49 p. 84, effective November 29, 1978; amended at 5 Ill. Reg. 813, effective



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January 7, 1981; amended at 5 Ill. Reg. 4617, effective April 14, 1981; amended at 5 Ill. Reg. 4624, effective April 14, 1981; amended at 5 Ill. Reg. 5537, effective May 7, 1981; amended at 5 Ill. Reg. 5705, effective May 20, 1981; amended at 5 Ill. Reg. 5883, effective May 20, 1981; amended at 5 Ill. Reg. 6843, effective June 16, 1981; amended at 5 Ill. Reg. 13244, effective November 13, 1981; amended at 5 Ill. Reg. 13724, effective November 30, 1981; amended at 6 Ill. Reg. 579, effective December 29, 1981; amended at 6 Ill. Reg. 9701, effective July 26, 1982; amended at 7 Ill. Reg. 399, effective December 28, 1982; amended at 8 Ill. Reg. 6184, effective April 24, 1984; codified at 8 Ill. Reg. 19574; amended at 9 Ill. Reg. 16986, effective October 21, 1985; amended at 9 Ill. Reg. 685, effective December 31, 1985; amended at 10 Ill. Reg. 7913, effective April 28, 1986; amended at 10 Ill. Reg. 19512, effective November 3, 1986; amended at 10 Ill. Reg. 21941, effective December 15, 1986; amended at 11 Ill. Reg. 831, effective December 24, 1986; amended at 11 Ill. Reg. 2450, effective January 20, 1987; amended at 11 Ill. Reg. 12410, effective July 8, 1987; amended at 11 Ill. Reg. 17782, effective October 16, 1987; amended at 12 Ill. Reg. 4865, effective February 25, 1988; amended at 12 Ill. Reg. 6748, effective March 25, 1988; amended at 12 Ill. Reg. 11766, effective July 1, 1988; amended at 12 Ill. Reg. 14307, effective August 29, 1988; amended at 13 Ill. Reg. 8917, effective May 30, 1989; amended at 13 Ill. Reg. 10952, effective June 26, 1989; amended at 14 Ill. Reg. 4558, effective March 8, 1990; amended at 14 Ill. Reg. 6810, effective April 19, 1990; amended at 14 Ill. Reg. 10082, effective June 7, 1990; amended at 14 Ill. Reg. 16012, effective September 17, 1990; emergency amendment at 17 Ill. Reg. 473, effective December 22, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 8869, effective June 2, 1993; amended at 17 Ill. Reg. 13776, effective August 9, 1993; recodified at 17 Ill. Reg. 14189; amended at 17 Ill. Reg. 19632, effective November 1, 1993; amended at 17 Ill. Reg. 19966, effective November 9, 1993; amended at 18 Ill. Reg. 1510, effective January 13, 1994; amended at 18 Ill. Reg. 2494, effective January 28, 1994; amended at 18 Ill. Reg. 7768, effective May 4, 1994; amended at 19 Ill. Reg. 1839, effective February 6, 1995; amended at 19 Ill. Reg. 5824, effective March 31, 1995; emergency amendment at 20 Ill. Reg. 1616, effective January 9, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 6981, effective May 7, 1996; amended at 20 Ill. Reg. 10706, effective July 29, 1996; amended at 20 Ill. Reg. 13365, effective September 27, 1996; amended at 20 Ill. Reg. 14617, effective October 29, 1996; amended at 21 Ill. Reg. 958, effective January 6, 1997; emergency amendment at 21 Ill. Reg. 2969, effective February 24, 1997, for a maximum of 150 days; emergency expired July 24, 1997; amended at 22 Ill. Reg. 2234, effective January 9, 1998; amended at 22 Ill. Reg. 19033, effective October 1, 1998; amended at 22 Ill. Reg. 21623, effective December 15, 1998; amended at 23 Ill. Reg. 3808, effective March 11, 1999; amended at 24 Ill. Reg. 10593, effective July 7, 2000; amended at 24 Ill. Reg. 12068, effective July 26, 2000; emergency amendment at 24 Ill. Reg. 17585, effective November 17, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18731, effective December 11, 2000; amended at 25 Ill. Reg. 4640, effective March 15, 2001; amended at 25 Ill. Reg. 4929, effective March 23, 2001; amended at 25 Ill. Reg. 5374, effective April 2, 2001; amended at 25 Ill. Reg. 6687, effective May 9, 2001; amended at 25 Ill. Reg.

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## SUBPART L: BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

## Section 100.3380 Special Rules (IITA Section 304)

a) IITA Section 304(f) provides that if the allocation and apportionment provisions of subsections (a) through (e) and of subsection (h) do not fairly represent the extent of a person's business activity in this State, the person may petition for, or the Director may require, in respect of all or any part of the person's business activity, if reasonable:

- 1) Separate accounting;
- 2) The exclusion of any one or more factors;
- 3) The inclusion of one or more additional factors which will fairly represent the person's business activities in this State; or
- 4) The employment of any other method to effectuate an equitable allocation and apportionment of the person's business income.

The Director has determined that, in the instances described in this Section, the apportionment provisions provided in subsections (a) through (e) and (h) of IITA Section 304 do not fairly represent the extent of a person's business activity within Illinois. For tax years ending on or after the effective date of a rulemaking amending this Section to prescribe a specific method of apportioning business income, all nonresident taxpayers are directed to apportion their business income employing that method in order to properly apportion their business income to Illinois. Taxpayers whose business activity within Illinois is not fairly represented by a method prescribed in this Section and who do not want to use that method for a tax year ending after the effective date of the rulemaking adopting that method must file a petition under Section 100.3390 of this Part requesting permission to use an alternative method of apportionment. For tax years ending prior to the effective date of the rulemaking adopting a method of apportioning business income, the Department will not require a taxpayer to adopt that method; provided, however, if any taxpayer has used that method for any such tax year, the taxpayer must continue to use that method that tax year. Moreover, a taxpayer may file a petition under Section 100.3390 of this Part to use a method of apportionment prescribed in this Section for any open tax year ending prior to the effective date of the rulemaking adopting that method, and such petition shall be granted in the absence of facts showing that such method will not fairly represent the extent of a person's business activity in Illinois.

b) The following special rules are established in respect to the property factor in IITA Section 304(a)(1) of--the apportionment-formula:

- 1) If the subrents taken into account in determining the net annual rental rate under Section 96-III--Adm--Code 100.3350(c) of this



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Part produce a negative or clearly inaccurate value for any item of property, another method which will properly reflect the value of rented property may be required by the Director or requested by the person. In no case however shall such value be less than an amount which bears the same ratio to the annual rental rate paid by the person for such property as the fair market value of that portion of the property used by the person bears to the total fair market value of the rented property.

Example: A corporation rents a 10-story building at an annual rental rate of \$1,000,000. The corporation occupies two stories and sublets eight stories for \$1,000,000 a year. The net annual rental rate of the taxpayer must not be less than two-tenths of the corporation annual rental rate for the entire year, or \$200,000.

- 2) If property owned by others is used by the person at no charge or rented by the person for a nominal rate, the net annual rental rate for such property shall be determined on the basis of a reasonable market rental rate for such property.

c) b) Sales factor. The following special rules are established in respect to the sales factor in IITA Section 304(a)(3) of the apportionment formula:

- 1) In the case of sales where neither the origin nor the destination of the sale is within this State, and the person is taxable in neither the state of origin nor the state of destination, the sale will be attributed to this State (and included in the numerator of the sales factor) if the person's activities in this State in connection with the sales are not protected by the provisions of P.L. 86-272, 15 USC 381-385. Although P.L. 86-272, by its terms covers only sales of tangible personal property, its rules regarding a state's power to impose a net income tax, for purposes of this special rule, will be applied whether the sale is of tangible or intangible property.

Example: A corporation's salesman operates out of an office in Illinois. He regularly calls on customers both within and without Illinois. Orders are approved by him and transmitted to the corporation's headquarters in State A. If the property sold by the salesman is shipped from a state in which the corporation is not taxable to a purchaser in a state in which the corporation is not taxable, the sale is attributable to Illinois.

- 2) Where substantial amounts of gross receipts arise from an incidental or occasional sale of assets used in the regular course of the person's trade or business, such gross receipts shall be excluded from the sales factor. For example, gross receipts from the sale of a factory or plant will be excluded.

- 3) Insubstantial amounts of gross receipts arising from incidental or occasional transactions or activities may be excluded from the sales factor unless such exclusion would materially affect the amount of income apportioned to this State. For example, the

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person ordinarily may include or exclude from the sales factor gross receipts from such transactions as the sale of office furniture, business automobiles, etc.

- 4) Where the income producing activity in respect to business income from intangible personal property can be readily identified, such income is included in the denominator of the sales factor and, if the income producing activity occurs in this State, in the numerator of the sales factor as well. For example, usually the income producing activity can be readily identified in respect to interest income received on deferred payments on sales of tangible property (Section 86-111-Adm-Code 100.3370(a)(1)(A) of this Part) and income from the sale of licensing or other use of intangible personal property (86-111-Adm-Code 100.3370(a)(3)(A)).

- 5) Where business income from intangible property cannot readily be attributed to any income producing activity of the person, such income cannot be assigned to the numerator of the sales factor for any state and shall be excluded from the denominator of the sales factor. The following provisions illustrate this concept:

- A) Subpart F (26 USCA 951-964) income is passive income generated by the mere holding of an intangible. For taxable years ending on or after December 31, 1995, Subpart F income is excluded from the sales factor under IITA Section 304(a)(3)(D). For prior taxable years, there is a rebuttable presumption that Subpart F income is not includable in either the numerator or the denominator of the sales factor. If a taxpayer wishes to include Subpart F income in either the numerator or the denominator of the sales factor, the burden of proof is on the taxpayer to identify the income producing activities and to situs those activities within a particular state, or

- B) where business income in the form of dividends received on stock during taxable years ending before December 31, 1995, royalties received on patents or copyrights or interest received on bonds, debentures or government securities results from the mere holding of intangible personal property by the person, such dividends, royalties and interest shall be excluded from the denominator of the sales factor.

- 6) In the case of sales of business intangibles (including, by means of example, without limitation, patents, copyrights, bonds, stocks and other securities), gross receipts shall be disregarded and only the net gain (loss) therefrom shall be included in the sales factor.

Example: In 1990, Corporation A, a calendar year taxpayer, sells stock with an adjusted basis of \$98,000,000 for \$100,000,000, realizing a federal net capital gain of \$2,000,000. Only the net capital gain of \$2,000,000 is



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reflected in A's sales factor for the taxable year ending December 31, 1990.

d) et Rule for inclusion of shares of partnership unitary business income and factors in combined unitary business income and factors of corporate partners. When the activities of a corporate partner (or the activities of a unitary business group including the corporate partner) and the activities of a partnership, disregarding ownership requirements, constitute a unitary business relationship, then the partner's share of the partnership's income and factors shall be combined with the business income and factors of the partner or with the combined business income and factors of the unitary business group including the partner, as the case may be. The activities of a corporate partner and the activities of a partnership will constitute a unitary business relationship when such activities are integrated with, dependent upon, and contribute to each other. However, this subsection (c) will not apply to shares of income from partnerships whose business activity outside the United States is 80% or more of such partnership's total business activity, where the partnership has a different apportionment method than the corporate partner, or where the partnership is not in the same general line of business or a step in a vertically structured enterprise with the corporate partner. This subsection (c) is applicable to all taxable years for which the statute of limitations for filing claims for refund and for issuing notices of deficiency are open, except those tax years ending on or after the effective date (April 24, 1984) of Section 100.9700(e)(2) and ending prior to its repeal where the taxpayer relied upon that subsection.

e) Apportionment of Business Income by Foreign Taxpayers

1) Under 26 USCA 882, foreign corporations include only effectively-connected income in their federal taxable income. Foreign taxpayers may exclude other items of income from their federal taxable income if authorized under treaty, as provided in 26 USCA 894. Using a foreign taxpayer's worldwide apportionment factors to determine how much of its domestic business income should be apportioned to Illinois would not fairly represent that taxpayer's business activities within Illinois.

Accordingly, a foreign taxpayer shall use only the apportionment factors related to its domestic business income when apportioning its business income to Illinois. Similarly, in determining whether 80% or more of a foreign taxpayer's total business activity is conducted outside the United States for purposes of IITA Section 1501(a)(27), that taxpayer must use only the apportionment factors related to the business income included in its federal taxable income (plus addition modifications), rather than use all of its worldwide factors.

2) Foreign Sales Corporations. Under 26 USC 921, "exempt foreign trade income" of a foreign sales corporation is treated as foreign source income excluded from gross income. "Exempt

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foreign trade income" is defined in 26 USC 923 to equal the sum of the amounts of income derived from various categories of transaction, with the income from each category multiplied by specific percentages. As a general rule, there is no systematic relationship between transactions qualifying for this treatment and any particular item of property or payroll of a foreign sales corporation. Accordingly, the provisions of subsection (e)(1) of this Section shall not apply to a foreign sales corporation and, in apportioning its business income and in determining whether 80% or more of its business activity is conducted outside the United States, a foreign sales corporation shall use all of its apportionment factors.

(Source: Amended at 25 Ill. Reg. 7250-- , effective MAY 25 2001)

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- 1) Heading of the Part: Retailers' Occupation Tax
- 2) Code Citation: 86 Ill. Adm. Code 130
- 3) Section Numbers: Adopted Action:  
130.1501 Amendment  
130.2004 New Section
- 4) Statutory Authority: 35 ILCS 120
- 5) Effective Date of Amendments: May 25, 2001
- 6) Do these amendments contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 9, 2001, 25 Ill. Reg. 2325 and February 16, 2001, 25 Ill. Reg. 2676
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made. This is a consolidated rulemaking of 2 separate proposed rulemakings with 2 sections being amended.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace emergency amendments currently in effect?  
No
- 14) Are there any amendments pending on this Part? Yes
- | Section Numbers | Proposed Action | IL Register Citation         |
|-----------------|-----------------|------------------------------|
| 130.401         | Amendment       | 12/29/00, 24 Ill. Reg. 19030 |
| 130.2075        | Amendment       | 05/11/01, 25 Ill. Reg. 6108  |
| 130.351         | Amendment       | 05/18/01, 25 Ill. Reg. 6446  |
| 130.2076        | New Section     | 05/25/01, 25 Ill. Reg. 6645  |
- 15) Summary and Purpose of Amendments: The amendments to Section 130.1501 are a result of Public Act 91-901 and amend the offset procedures established for claims under the Retailers' Occupation Tax Act by correctly citing the

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local taxes that must first be offset before approval of a claim. The current regulation reflected the old statutory provisions that refer to taxes that no longer exist. The proposed amendments change specific references to myriad local taxes to "any local occupation or use tax administered by the Department". This rulemaking also corrects an example in subsection (a)(4)(D) regarding the statute of limitations as it pertains to claims.

New Section 130.2004 implements Public Act 91-0439 that establishes an exemption from sales tax on purchases of tangible personal property for use by not-for-profit arts or cultural organizations.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Gina Roccaforte  
Karl W. Betz  
Associate Counsels  
Illinois Department of Revenue  
Legal Services Office  
101 West Jefferson  
Springfield, Illinois 62794  
(217) 782-6996

The full text of the adopted amendments begins on the next page:



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## TITLE 86: REVENUE

## Meaning of Gross Receipts

## CHAPTER I: DEPARTMENT OF REVENUE

How to Avoid Paying Tax on State or Local Tax Passed on to the Purchaser

## PART 130

## RETAILERS' OCCUPATION TAX

Cost of Doing Business Not Deductible

## SUBPART A: NATURE OF TAX

Finance or Interest Charges--Penalties--Discounts

Character and Rate of Tax  
Responsibility of Trustees, Receivers, Executors or Administrators  
Occasional Sales  
Sale of Used Motor Vehicles by Leasing or Rental Business  
Habitual Sales  
Nontaxable Transactions

Traded-In Property  
Deposit or Prepayment on Purchase Price  
State and Local Taxes Other Than Retailers' Occupation Tax  
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Federal Taxes  
Installation, Alteration and Special Service Charges  
Motor Vehicle Leasing and Trade-In Allowances

## SUBPART B: SALE AT RETAIL

## SUBPART E: RETURNS

The Test of a Sale at Retail  
Sales for Transfer Incident to Service  
Sales of Tangible Personal Property to Purchasers for Resale  
Further Illustrations of Sales for Use or Consumption Versus Sales for Resale  
Sales to Lessors of Tangible Personal Property  
Drop Shipments

Monthly Tax Returns--When Due--Contents

## SUBPART C: CERTAIN STATUTORY EXEMPTIONS

Farm Machinery and Equipment  
Food, Drugs, Medicines and Medical Appliances  
Fuel Sold for Use in Vessels on Rivers Bordering Illinois  
Gasohol  
Fuel Used by Air Common Carriers in International Flights  
Graphic Arts Machinery and Equipment Exemption  
Manufacturing Machinery and Equipment  
Manufacturer's Purchase Credit  
Automatic Vending Machines that Dispense Hot Food or Beverages  
Pollution Control Facilities  
Rolling Stock  
Oil Field Exploration, Drilling and Production Equipment  
Coal Exploration, Mining, Off Highway Hauling, Processing, Maintenance and Reclamation Equipment  
Aggregate Manufacturing

Returns on a Transaction by Transaction Basis  
Registrants Must File a Return for Every Return Period  
Filing of Returns for Retailers by Suppliers Under Certain Circumstances  
Prepayment of Retailers' Occupation Tax on Motor Fuel  
Vending Machine Information Returns  
Verification of Returns

## SUBPART F: INTERSTATE COMMERCE

Preliminary Comments  
Sales of Property Originating in Illinois  
Sales of Property Originating in Other States

## SUBPART G: CERTIFICATE OF REGISTRATION

## SUBPART D: GROSS RECEIPTS

General Information on Obtaining a Certificate of Registration  
Procedure in Disputed Cases Involving Financial Responsibility

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## Requirements

130.710 Procedure When Security Must be Forfeited  
130.715 Sub-Certificates of Registration  
130.720 Separate Registrations for Different Places of Business of Same Taxpayer Under Some Circumstances  
130.725 Display  
130.730 Replacement of Certificate  
130.735 Certificate Not Transferable  
130.740 Certificate Required For Mobile Vending Units  
130.745 Revocation of Certificate

## SUBPART H: BOOKS AND RECORDS

Section  
130.801 General Requirements  
130.805 What Records Constitute Minimum Requirement  
130.810 Records Required to Support Deductions  
130.815 Preservation and Retention of Records  
130.820 Preservation of Books During Pendency of Assessment Proceedings  
130.825 Department Authorization to Destroy Records Sooner Than Would Otherwise be Permissible

## SUBPART I: PENALTIES AND INTEREST

Section  
130.901 Civil Penalties  
130.905 Interest  
130.910 Criminal Penalties

## SUBPART J: BINDING OPINIONS

Section  
130.1001 When Opinions from the Department are Binding

## SUBPART K: SELLERS LOCATED ON, OR SHIPPING TO, FEDERAL AREAS

Section  
130.1101 Definition of Federal Area  
130.1105 When Deliveries on Federal Areas Are Taxable  
130.1110 No Distinction Between Deliveries on Federal Areas and Illinois Deliveries Outside Federal Areas

## SUBPART L: TIMELY MAILING TREATED AS TIMELY FILING AND PAYING

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130.1205 Due Date that Falls on Saturday, Sunday or a Holiday

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130.1301 When Lessee of Premises Must File Return for Leased Department  
130.1305 When Lessor of Premises Should File Return for Business Operated on Leased Premises  
130.1310 Meaning of "Lessor" and "Lessee" in this Regulation

## SUBPART N: SALES FOR RESALE

Section  
130.1401 Seller's Responsibility to Determine the Character of the Sale at the Time of the Sale  
130.1405 Seller's Responsibility to Obtain Certificates of Resale and Requirements for Certificates of Resale  
130.1410 Requirements for Certificates of Resale (Repealed)  
130.1415 Resale Number--When Required and How Obtained  
130.1420 Blanket Certificate of Resale (Repealed)

## SUBPART O: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

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130.1501 Claims for Credit--Limitations--Procedure  
130.1505 Disposition of Credit Memoranda by Holders Thereof  
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SUBPART P: PROCEDURE TO BE FOLLOWED UPON  
SELLING OUT OR DISCONTINUING BUSINESS

Section  
130.1601 When Returns are Required After a Business is Discontinued  
130.1605 When Returns Are Not Required After Discontinuation of a Business  
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## SUBPART Q: NOTICE OF SALES OF GOODS IN BULK

Section  
130.1701 Bulk Sales: Notices of Sales of Business Assets

## SUBPART R: POWER OF ATTORNEY

Section  
130.1801 When Powers of Attorney May be Given  
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130.1905	Agricultural Producers
130.1910	Antiques, Curios, Art Work, Collectors' Coins, Collectors' Postage Stamps and Like Articles
130.1915	Auctioneers and Agents
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130.1952	Sales of Building Materials to a High Impact Business
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130.2000	Persons Engaged in the Printing, Graphic Arts or Related Occupations, and Their Suppliers
130.2004	Sales to Nonprofit Arts or Cultural Organizations
130.2005	Persons Engaged in Nonprofit Service Enterprises and in Similar Enterprises Operated As Businesses, and Suppliers of Such Persons
130.2006	Sales by Teacher-Sponsored Student Organizations
130.2007	Exemption Identification Numbers
130.2008	Sales by Nonprofit Service Enterprises
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130.2010	Persons Who Rent or Lease the Use of Tangible Personal Property to Others
130.2011	Sales to Persons Who Lease Tangible Personal Property to Exempt Hospitals
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130.2015	Persons Who Repair or Otherwise Service Tangible Personal Property
130.2020	Physicians and Surgeons
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130.2100	Sellers of Feeds and Breeding Livestock
130.2105	Sellers of Newspapers, Magazines, Books, Sheet Music and Recordings, and Their Suppliers; Transfer of Data Downloaded Electronically
130.2110	Sellers of Seeds and Fertilizer
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130.2145	Vendors of Meals
130.2150	Vendors of Memorial Stones and Monuments
130.2155	Vendors of Signs
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130.2160	Vendors of Tangible Personal Property Employed for Premiums, Advertising, Prizes, Etc.
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ILLUSTRATION A	Examples of Tax Exemption Cards

AUTHORITY: Implementing the Illinois Retailers' Occupation Tax Act [35 ILCS 120] and authorized by Section 2505-25 of the Civil Administrative Code of Illinois [20 ILCS 2505/2505-25].

SOURCE: Adopted July 1, 1933; amended at 2 Ill. Reg. 50, p. 71, effective December 10, 1978; amended at 3 Ill. Reg. 12, p. 4, effective March 19, 1979; amended at 3 Ill. Reg. 13, pp. 93 and 95, effective March 25, 1979; amended at 3 Ill. Reg. 23, p. 164, effective June 3, 1979; amended at 3 Ill. Reg. 25, p. 229, effective June 17, 1979; amended at 3 Ill. Reg. 44, p. 193, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 52, effective November 2, 1979; amended at 4 Ill. Reg. 24, pp. 520, 539, 564 and 571, effective June 1, 1980;



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amended at 5 Ill. Reg. 818, effective January 2, 1981; amended at 5 Ill. Reg. 3014, effective March 11, 1981; amended at 5 Ill. Reg. 12782, effective November 2, 1981; amended at 6 Ill. Reg. 2860, effective March 3, 1982; amended at 6 Ill. Reg. 6780, effective May 24, 1982; codified at 6 Ill. Reg. 8229; recodified at 6 Ill. Reg. 8999; amended at 6 Ill. Reg. 15225, effective December 3, 1982; amended at 7 Ill. Reg. 7990, effective June 15, 1983; amended at 8 Ill. Reg. 5319, effective April 11, 1984; amended at 8 Ill. Reg. 19062, effective September 26, 1984; amended at 10 Ill. Reg. 1937, effective January 10, 1986; amended at 10 Ill. Reg. 12067, effective July 1, 1986; amended at 10 Ill. Reg. 19538, effective November 5, 1986; amended at 10 Ill. Reg. 19772, effective November 5, 1986; amended at 11 Ill. Reg. 4325, effective March 2, 1987; amended at 11 Ill. Reg. 6252, effective March 20, 1987; amended at 11 Ill. Reg. 18284, effective October 27, 1987; amended at 11 Ill. Reg. 18767, effective October 28, 1987; amended at 11 Ill. Reg. 19138, effective October 29, 1987; amended at 11 Ill. Reg. 19696, effective November 23, 1987; amended at 12 Ill. Reg. 5652, effective March 15, 1988; emergency amendment at 12 Ill. Reg. 14401, effective September 1, 1988, for a maximum of 150 days, modified in response to an objection of the Joint Committee on Administrative Rules at 12 Ill. Reg. 19531, effective November 4, 1988, not to exceed the 150 day time limit of the original rulemaking; emergency expired January 29, 1989; amended at 13 Ill. Reg. 11824, effective June 29, 1989; amended at 14 Ill. Reg. 241, effective December 21, 1989; amended at 14 Ill. Reg. 872, effective January 1, 1990; amended at 14 Ill. Reg. 15463, effective September 10, 1990; amended at 14 Ill. Reg. 16028, effective September 18, 1990; amended at 15 Ill. Reg. 6621, effective April 17, 1991; amended at 15 Ill. Reg. 13542, effective August 30, 1991; amended at 15 Ill. Reg. 15757, effective October 15, 1991; amended at 16 Ill. Reg. 1642, effective January 13, 1992; amended at 17 Ill. Reg. 860, effective January 11, 1993; amended at 17 Ill. Reg. 18142, effective October 4, 1993; amended at 17 Ill. Reg. 19651, effective November 2, 1993; amended at 18 Ill. Reg. 1537, effective January 13, 1994; amended at 18 Ill. Reg. 16866, effective November 7, 1994; amended at 19 Ill. Reg. 13446, effective September 12, 1995; amended at 19 Ill. Reg. 13568, effective September 11, 1995; amended at 19 Ill. Reg. 13968, effective September 18, 1995; amended at 20 Ill. Reg. 4428, effective March 4, 1996; amended at 20 Ill. Reg. 5366, effective March 26, 1996; amended at 20 Ill. Reg. 6991, effective May 7, 1996; amended at 20 Ill. Reg. 9116, effective July 2, 1996; amended at 20 Ill. Reg. 15753, effective December 2, 1996; expedited correction at 21 Ill. Reg. 4052, effective December 2, 1996; amended at 20 Ill. Reg. 16200, effective December 16, 1996; amended at 21 Ill. Reg. 12211, effective August 26, 1997; amended at 22 Ill. Reg. 3097, effective January 27, 1998; amended at 22 Ill. Reg. 11874, effective June 29, 1998; amended at 22 Ill. Reg. 19919, effective October 28, 1998; amended at 22 Ill. Reg. 21642, effective November 25, 1998; amended at 23 Ill. Reg. 9526, effective July 29, 1999; amended at 23 Ill. Reg. 9898, effective August 9, 1999; amended at 24 Ill. Reg. 10713, effective July 7, 2000; emergency amendment at 24 Ill. Reg. 11313, effective July 12, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15104, effective October 2, 2000; amended at 24 Ill. Reg. 18376, effective December 1, 2000; amended at 25 Ill. Reg. 941, effective January 8, 2001; emergency amendment at 25 Ill. Reg. 1792,

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effective January 16, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 4674, effective March 15, 2001; amended at 25 Ill. Reg. 4950, effective March 19, 2001; amended at 25 Ill. Reg. 5398, effective April 2, 2001; amended at 25 Ill. Reg. 6713, effective May 9, 2001; amended at 25 Ill. Reg. ~~7264~~, effective ~~May 25, 2001~~.

## SUBPART O: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

## Section 130.1501 Claims for Credit--Limitations--Procedure

## a) Limitations Upon Claims

- 1) Where a taxpayer under the Retailers' Occupation Tax Act pays to the Department an amount of tax or penalty or interest not due under the provisions of the Act, either as the result of a mistake of fact or an error of law, such taxpayer may file a claim for credit with the Department. Beginning August 17, 1995, tax is deemed to be erroneously paid by a retailer when the manufacturer of a motor vehicle sold by the retailer accepts the return of that automobile and refunds to the purchaser the purchase price of the vehicle, as provided in Section 3 of the New Vehicle Buyer Protection Act [815 ILCS 380/3]. The claim is limited to taxes applicable to the purchase price of the automobile refunded to the consumer, which includes all collateral charges required to be included in the sales tax calculation (e.g., documentary fees), but does not include any reasonable allowance for consumer use of the automobile deducted from the purchase price by the manufacturer. Retailers filing such claims must comply with all requirements of this Section.
- 2) The Department cannot approve any claim for credit unless the proof submitted in support thereof clearly establishes that the claimant has borne the burden of the tax erroneously paid or that he has unconditionally repaid the amount of the tax to his vendee from whom he has collected such amount. In the latter event, the claimant must also prove that his vendee has borne the burden of such amount or has unconditionally repaid persons to whom such vendee has shifted the burden of such amount (see Section 6 of the Retailers' Occupation Tax Act).
- 3) In addition, if the Retailers' Occupation Tax was paid on receipts from a sale made on or after August 1, 1955, no credit shall be allowed for any such amount paid by or collected from any claimant unless it shall appear that the claimant has unconditionally repaid, to the purchaser, any amount collected from the purchaser and retained by the claimant with respect to the same transaction under the Use Tax Act.
- 4) The Department cannot approve any claim for credit to the extent that the amount claimed is an amount which has been paid (voluntarily or involuntarily) in total or partial liquidation of an assessment which had become final before the claim for credit



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to recover the amount so paid is filed with the Department, or if paid in total or partial liquidation of a judgment, order or decree of court. Also, all claims for credit are subject to the statute of limitations, as follows:

*Provided that as to any claim for credit filed with the Department on and after each January 1 and July 1 no amount of tax or penalty or interest erroneously paid (either in total or partial liquidation of a tax or penalty or amount of interest under the Act) more than 3 years prior to such January 1 and July 1, respectively, shall be credited; . . . except that if both the Department and the taxpayer have agreed to an extension of time to issue a notice of tax liability as provided in Section 4 of the Act, such claim may be filed at any time prior to the expiration of the period agreed upon. (Section 6 of the Act)*

This means that the normal statute of limitations will vary from 3 to 3 1/2 years as shown in the following examples:

- A) On June 29, 1999 a taxpayer files a claim with the Department. The credit may be allowed for amounts paid on or after January 1, 1996. The credit will not be allowed for amounts paid on or before December 31, 1995.
  - B) A taxpayer files a claim with the Department on July 2, 1999. In this case, amounts paid on or before June 30, 1996 were paid more than three years prior to July 1, 1999 and are not subject to refund.
  - C) A taxpayer files a claim on November 30, 1999 for the months of October through December 1996. The claim will be processed by the Department because the time period that is open under the statute of limitations extends back through July 1, 1996.
  - D) A taxpayer files a claim on January 5, 2000 for the month of October through December 1996 that was paid on November 20, 1996. The claim will not be approved by the Department because it is barred by the statute of limitations. A claim filed on January 5, 2000 only has open periods back through January 1, 1997.
- b) Filing of Claims
- 1) Claims for credit shall be prepared and filed upon forms provided by the Department. Each claim shall state:
    - A) the name and principal business address of the claimant;
    - B) the period covered by the claim;
    - C) the total amount of credit claimed, giving in detail the net amount of taxable receipts reported each month or other return period used by the claimant as the basis for filing returns in the period covered by the claim;
    - D) the total amount of tax paid for each return period;
    - E) receipts upon which tax liability is admitted for each return period;
    - F) the amount of receipts on which credit is claimed for each

- return period;
- G) the tax due for each return period as corrected;
- H) the amount of credit claimed for each return period;
- I) reason or reasons why the amount, for which the claim is filed, is alleged to have been paid in error;
- J) a list of the evidence (documentary or otherwise) which the claimant has available to establish his compliance with Section 6 as to bearing the burden of the tax for which he seeks credit;
- K) payments or parts thereof (if any) included in the claim and paid by the claimant under protest;
- L) sufficient information to identify any suit which involves the Act, and to which the claimant is a party; and
- M) such other information as the Department may reasonably require.

- 2) Where the claimant is a corporation, the claim filed on behalf of such corporation shall be signed by the president, vice-president, secretary or treasurer or by the properly accredited agent of such corporation.
  - 3) A claim for credit shall be considered to have been filed with the Department on the date upon which it is received by the Department. (See Sections 130.1201 and 130.1205 of this Part for further information regarding when claims are deemed to be "received" by the Department.)
  - 4) Upon receipt of any claim for credit filed under the Act, any officer or employee of the Department, authorized in writing by the Director of Revenue to acknowledge receipt of such claims on behalf of the Department, shall execute on behalf of the Department, and shall deliver or mail to the claimant or his duly authorized agent, a written receipt, acknowledging that the claim has been filed with the Department, describing the claim in sufficient detail to identify it and stating the date upon which the claim was received by the Department.
  - 5) Such written receipt shall be prima facie evidence that the Department received the claim described in such receipt and shall be prima facie evidence of the date when such claim was received by the Department.
  - 6) In the absence of such a written receipt, the records of the Department as to when the claim was received by the Department, or as to whether or not the claim was received at all by the Department, shall be deemed to be prima facie correct upon these questions in the event of any dispute between the claimant (or his legal representative) and the Department concerning these questions. (See Section 6a of the Act.)
- c) Procedure After Filing of Claims
- 1) The Department will examine each claim for credit as soon as practicable after such claim is filed and will notify the claimant (or his legal representative, if the claim is filed by



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such legal representative, or if the claimant has died or become incompetent and such legal representative has notified the Department of his appointment and qualification as such legal representative, or if the Department, on its own motion, has substituted such legal representative in the proceeding for the deceased or incompetent claimant) of its Tentative Determination of the amount of credit, if any, to which the claimant or his legal representative is entitled.

- 2) If such claimant, or the legal representative of a deceased or incompetent taxpayer, shall, within 60 days after the Department's Notice of Tentative Determination of Claim, file a protest and request a hearing, the Department shall give notice to the claimant, or to the legal representative of a deceased or incompetent taxpayer, of the time and place fixed for the hearing, and shall hold a hearing in conformity with the provisions of the Act, and pursuant thereto shall issue its Final Determination of the amount of credit, if any, found to be due as a result of the hearing, to the claimant, or to the legal representative of a deceased or incompetent taxpayer.

- 3) If a protest to the Department's Notice of Tentative Determination of Claim is not filed within 60 days and a request for a hearing is not made as provided in subsection (c)(2), the Notice shall thereupon become and operate as a Final Determination. (See Sections 6b and 6c of the Act.)

d) Use of Credit Memoranda to Satisfy Prior Rights of Department

- 1) If, following the above procedure, a credit is found to be due, as evidenced thereof a credit memorandum for such amount shall be issued in the name of the claimant.

- 2) If there is an established unpaid assessment or an admitted unpaid liability, or unpaid penalty, or unpaid amount of interest, against the claimant either under the Retailers' Occupation Tax Act, the Use Tax Act, the Service Occupation Tax Act, the Service Use Tax Act, any Local Occupation or Use Tax administered by the Department, ~~the--Home--Rule--Municipal~~ ~~Retailers--Occupation--Tax--Act--f65--ILCS-5/8-11-1--Non-Home--Rule~~ ~~Municipal-Retailers--Occupation--Tax--Act--f65--ILCS-5/8-11-1-3--the~~ ~~Home--Rule--Municipal--Service--Occupation--Tax--Act--f65--ILCS~~ ~~5/8-11-5--Non-Home-Rule-Municipal-Service-Occupation-Tax-Act-f65~~ ~~ILCS-5/8-11-1-4--the-Home-Rule-County-Retailers--Occupation--Tax~~ ~~Act--f55--ILCS-5/5-1006--the-Home-Rule-County-Service-Occupation~~ ~~Tax-Act--f55--ILCS-5/5-1007--Section 4 of the Water Commission Act~~ ~~of 1985 [70 ILCS 3720/4], Section 5.01(b), (c) and (d) of the~~ ~~Local Mass Transit District Act [70 ILCS 3610/5.01], or Section~~ ~~4.03(e), (f) and (g) of the Regional Transportation Authority Act~~ ~~[70 ILCS 3615/4.03], the amount of the credit shall be credited~~ ~~against the tax or penalty or interest due or to become due under~~ ~~the Retailers' Occupation Tax Act, or under the Use Tax Act, the~~ ~~Service Occupation Tax Act, the Service Use Tax Act, the Home~~

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Rule Municipal Retailers' Occupation Tax Act, the Non-Home Rule Municipal Retailers' Occupation Tax Act, any Local Occupation or Use Tax administered by the Department, ~~the--Home--Rule--Municipal~~ ~~Service--Occupation--Tax--Act--the-Non-Home-Rule--Municipal--Service~~ ~~Occupation--Tax--Act--the-Home-Rule-County-Retailers--Occupation~~ ~~Tax-Act--Home-Rule-County-Service-Occupation-Tax-Act, Section 4~~ ~~of the Water Commission Act of 1985, Section 5.01(b), (c) and (d)~~ ~~of the Local Mass Transit District Act, or Section 4.03(e), (f)~~ ~~and (g) of the Regional Transportation Authority Act, from the~~ ~~person who made the erroneous payment.~~

- 3) If the credit is in an amount less than that of the unpaid liability, it shall be applied pro tanto.

- 4) If the amount of the credit exceeds that of the unpaid liability, after crediting an amount sufficient to liquidate or cancel out such unpaid liability, a new credit memorandum shall be issued for an amount representing the difference between that of the original credit found to be due and that of the liability liquidated or paid as aforesaid, and such new credit memorandum shall be delivered to the person entitled to receive delivery thereof, provided that no proceeding is pending against the claimant to establish an unpaid liability under the Retailers' Occupation Tax Act, the Use Tax Act, the Service Occupation Tax Act, the Service Use Tax Act, any Local Occupation or Use Tax administered by the Department, ~~the--Home--Rule--Municipal~~ ~~Retailers--Occupation--Tax--Act--the-Non-Home--Rule--Municipal~~ ~~Retailers--Occupation--Tax--Act--the-Home-Rule-Municipal-Service~~ ~~Occupation--Tax--Act--the-Non-Home--Rule--Municipal--Service~~ ~~Occupation--Tax--Act--the-Home-Rule-County-Retailers--Service~~ ~~Tax-Act--the-Home-Rule-County-Service-Occupation-Tax-Act, Section~~ ~~4 of the Water Commission Act of 1985, Section 5.01(b), (c) and~~ ~~(d) of the Local Mass Transit District Act, or Section 4.03(e),~~ ~~(f) and (g) of the Regional Transportation Authority Act.~~

- 5) If a proceeding to establish such an unpaid liability is pending, the credit memorandum shall be held by the Department until such proceeding is concluded; and if such proceeding results in the issuance of an assessment which becomes final, the credit shall be applied by the Department, to the extent which may be necessary, in liquidation of such assessment, or any interest that may accrue thereon, and the balance of the credit, if any (after cancellation of the credit memorandum applied in liquidation of such liability), shall be issued in the form of a new credit memorandum and delivered to the person entitled to receive delivery thereof.

(Source: Amended at 25 Ill. Reg. 7264, effective

MAY 25 2001)

SUBPART S: SPECIFIC APPLICATIONS



## DEPARTMENT OF REVENUE

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**Section 130.2004 Sales to Nonprofit Arts or Cultural Organizations**

a) Notwithstanding the fact that sales may be at retail, the Retailers' Occupation Tax does not apply to sales of tangible personal property to a not-for-profit arts or cultural organization that establishes that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated for the presentation or support of arts or cultural programming, activities, or services. (Section 2-5(9) of the Act)

b) Only nonprofit organizations that are organized and operated for the presentation or support of arts or cultural programming, activities, or services can qualify for this exemption from sales tax. To demonstrate qualification, an organization must devote an identifiable portion of its proceeds or activities to the presentation or support of arts or cultural programming, activities, or services. The fact that an organization is organized and operated for the presentation or support of arts or cultural programming, activities, or services must also be reflected in its organizational documents. For ease of administration of the exemption, organizations should apply for and obtain a tax exemption identification number. To establish eligibility for this exemption, an organization should submit the following documents to the Illinois Department of Revenue:

- 1) Copy of the Internal Revenue Service letter under which it received an exemption under Section 501(c)(3) of the Internal Revenue Code.
- 2) If incorporated, copy of Articles of Incorporation.
- 3) If unincorporated, copy of organization's Charter or Constitution.
- 4) Copy of By-laws.
- 5) A narrative explaining purposes, functions and activities of the organization.
- 6) Copy of brochures or other printed material explaining the purposes, functions and activities of the organization.
- 7) Copy of most recent financial statement.

c) The information noted in subsection (b) will allow the Department to identify that the organization qualifies for the nonprofit arts or cultural organization exemption from sales tax. If an organization does qualify, the Department will issue an exemption identification number that the organization can provide to vendors. Although nonprofit arts and cultural organizations are not required to obtain this number, receipt of a number is strongly recommended because the exemption number will serve as the documentation that vendors are required to maintain under Section 7 of the Act for exempt sales. Unless an organization obtains an exemption identification number, retailers may decide not to allow a purchase to be made tax free. The exemption applies to purchases of tangible personal property invoiced to the organization that will be used in furtherance of the organization's purposes. The exemption does not extend to purchases

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of tangible personal property made by individual members or officers of the organization for their own use.

d) An exempt nonprofit arts or cultural organization must have as its purposes or activities the presentation or support of arts or cultural programming, activities or services. By way of illustration and not limitation, the following not-for-profit purposes or activities are examples:

- 1) Presenting or supporting artists and their works.
- 2) Presenting or supporting musical performances, including instrumental and choral.
- 3) Presenting or supporting the dramatic arts.
- 4) Preserving and exhibiting to the general public objects, artifacts, or displays of historical, scientific or cultural value.
- 5) Promoting and increasing the musical knowledge, appreciation, experience and performing ability of young people and of the general public, by establishing, maintaining and operating a youth symphony orchestra.
- 6) Operating a school of dance, music, painting or sculpture.
- 7) Conducting festivals on a regular basis to provide filmmakers with an opportunity to display their films.
- 8) Educating young people and the general public about the arts or humanities through museum exhibits, classes, lectures and performances.
- 9) Producing, presenting or distributing displays of visual or media arts such as photographs, paintings, sculptures, videos or films.
- 10) Preparing, publishing and distributing a journal or other literature on a regular basis that provides an opportunity for authors to have their articles or stories published.

(Source: Added at 25 Ill. Reg. 7264-3, effective MAY 25 2004)

## DEPARTMENT OF STATE POLICE

## NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Missing Person Birth Records and School Registration
- 2) Code Citation: 20 Ill. Adm. Code 1290
- 3) Section Numbers: 1290.70  
Adopted Action: Amendment
- 4) Statutory Authority: Implementing and authorized by the Missing Children Registration Law [325 ILCS 55] and the Missing Children Records Act [325 ILCS 50].
- 5) Effective Date of Amendment: May 25, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 25 Ill. Reg. 2706, February 16, 2001
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were issued.
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: The adopted amendment will update the Department of State Police offices to which reports should be directed.
- 16) Information and questions regarding this adopted amendment shall be directed to:

James W. Redlich  
Chief Legal Counsel  
Illinois State Police  
124 East Adams Street, Room 102  
Post Office Box 19461  
Springfield, IL 62794-9461  
Telephone: (217) 524-0346  
Fax: (217) 524-5743

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The full text of the adopted amendment begins on the next page:



## DEPARTMENT OF STATE POLICE

## NOTICE OF ADOPTED AMENDMENT

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT  
CHAPTER II: DEPARTMENT OF STATE POLICE

## PART 1290

## MISSING PERSON BIRTH RECORDS AND SCHOOL REGISTRATION

## SUBPART A: PROMULGATION

Section  
1290.10 Purpose  
1290.20 Definitions

## SUBPART B: REQUIREMENTS AND PROCEDURES

Section  
1290.30 Department Notification Requirements  
1290.40 Registrar Notification Requirements  
1290.50 Custodian Identification Procedures  
1290.60 School Enrollment Identification and Reports  
1290.70 Miscellaneous Provisions

AUTHORITY: Implementing and authorized by the Missing Children Registration Law [325 ILCS 55] and the Missing Children Records Act [325 ILCS 50].

SOURCE: Adopted at 12 Ill. Reg. 22234, effective December 13, 1988; amended at 25 Ill. Reg. 7280, effective MAY 23 1991.

## SUBPART B: REQUIREMENTS AND PROCEDURES

## Section 1290.70 Miscellaneous Provisions

- a) All requirements and procedures contained in the Acts shall be followed.
- b) All reports made to the Department under the provisions of the Acts shall be directed to the nearest State Police Region Investigative Office, to the Department's Clearinghouse for Missing and Exploited Children, or to any subsequent functionally equivalent but differently named office of the Department. ~~local--office--of--the--Department's Division-of-Criminal-Investigation--or--to--the--State-Headquarters-of-the Department's-Division-of-Criminal-Investigation:~~

(Source: Amended at 25 Ill. Reg. 7280 effective MAY 23 1991)

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED AMENDMENT

1) Heading of the Part: Continuing Qualification and Maintenance of Packaging

2) Code Citation: 92 Ill. Adm. Code 180

3) Section Numbers: 180.2000  
Adopted Action: Amend

4) Statutory Authority: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/4(a) and 9(a)].

5) Effective Date of Amendment: May 19, 2001

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? Yes

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: February 9, 2001, 25 Ill. Reg. 2344

10) Has JCAR issued a Statement of Objections to this rulemaking? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment: By this Notice, the Department is updating the incorporation by reference date of 49 CFR 180 to the October 1, 2000 edition, the most recent edition of the CFR.

The following summaries provide a description of federal rulemaking that are applicable to this Part, that became effective since October 1, 1997 and that are included in the October 1, 2000 edition of the Code of Federal Regulations (CFR).

Docket HM-1890 (63 FR 52844, October 1, 1998) Corrects editorial errors, makes minor regulatory changes, and improves the clarity of certain

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provisions in the Hazardous Materials Regulations (HMR).

Docket HM-215C (64 FR 10742, March 5, 1999) Amends the HMR to maintain alignment with international standards by incorporating changes to proper shipping names, hazards classes, packing groups, specials provisions, and packaging authorizations. Also eliminates the "Keep Away From Food" label for poisonous materials in Division 6.1, Packing Group III.

Docket HM-225A (64 FR 28030, May 24, 1999) Revised regulations applicable to the transportation and unloading of liquefied compressed gases. The revisions include new inspection, maintenance, and testing requirements for cargo tank discharge systems, including delivery hose assemblies, and revised attendance requirements. Also revised the requirements for cargo tank emergency discharge control equipment.

Docket HM-225A (64 FR 36802, July 8, 1999) Delayed implementation of the May 24, 1999 final rule as it applies to chlorine unloading operations until January 1, 2000.

Docket HM-218 (65 FR 50450, August 18, 2000) Incorporates miscellaneous changes based on petitions for rulemaking and RSPA initiatives. This rulemaking updates, clarifies and improves regulatory requirements and provides relief from certain requirements where feasible.

Docket HM-189Q (65 FR 58614, September 29, 2000) Corrects editorial errors, makes minor regulatory changes and improves the clarity of certain provisions in the regulations.

16) Information and questions regarding this adopted amendment shall be directed to:

Ms. Catherine Allen  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

The full text of the adopted amendment begins on the next page:

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## NOTICE OF ADOPTED AMENDMENT

TITLE 92: TRANSPORTATION

CHAPTER I: DEPARTMENT OF TRANSPORTATION

SUBCHAPTER C: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

## PART 180

## CONTINUING QUALIFICATION AND MAINTENANCE OF PACKAGING

## Section

180.1000 General

180.2000 Incorporation by Reference of 49 CFR 180

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/4(a) and 9(a)].

SOURCE: Adopted at 14 Ill. Reg. 2617, effective February 1, 1990; amended at 15 Ill. Reg. 7748, effective May 7, 1991; amended at 16 Ill. Reg. 11847, effective July 13, 1992; amended at 18 Ill. Reg. 7857, effective May 6, 1994; amended at 20 Ill. Reg. 6535, effective April 30, 1996; amended at 22 Ill. Reg. 5690, effective March 4, 1998; amended at 22 Ill. Reg. 17007, effective September 30, 1998; amended at 25 Ill. Reg. 7283, effective May 1, 1999.

## Section 180.2000 Incorporation by Reference of 49 CFR 180

a) As Part 180 of the Illinois Hazardous Materials Transportation Regulations, the Department incorporates 49 CFR 180 by reference, as that part of the federal hazardous materials transportation regulations was in effect on October 1, 2000 ~~1997~~ ~~and as amended at 63--FR--374547--July--197--1998~~, subject only to the exceptions in subsection (b) of this Section. No later amendments to or editions of 49 CFR 180 are incorporated.

b) The following interpretations of, additions to and deletions from 49 CFR 180 shall apply for purposes of this Part.

1) All references to "this part" in the incorporated federal regulations shall mean Part 180 of the Illinois Hazardous Materials Transportation Regulations.

2) All references to "this chapter" or "this Subchapter" in the incorporated federal regulations shall mean 92 Ill. Adm. Code: Chapter I, Subchapter C.

3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.

4) All references to part Parts 174, 175, or 1767 or to sections therein shall be read to refer to those parts or sections in the federal hazardous materials transportation regulations.

5) All references to shipments of hazardous materials by air, water and rail are incorporated for reference purposes only for those



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persons contemplating intermodal movements of hazardous materials.

(Source: Amended at 25 Ill. Reg. 7283, effective MAY 19 2001)

- 1) Heading of the Part: Hazardous Materials Table and Hazardous Materials Communications
- 2) Code Citation: 92 Ill. Adm. Code 172
- 3) Section Numbers: 172.2000 Adopted Action: Amend
- 4) Statutory Authority: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/4(a) and 9(a)].

5) Effective Date of Amendment: May 19, 2001

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? Yes

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: February 9, 2001, 25 Ill. Reg. 2349

10) Has JCAR issued a Statement of Objections to this amendment? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) A complete description of the subjects and issues involved: By this Notice, the Department is updating the incorporation by reference date of 49 CFR 172 to the October 1, 2000 edition, and to include the federal rulemaking adopted at 65 FR 60382, October 11, 2000.

The following summaries provide a description of federal rulemakings that are applicable to this Part, that became effective since October 1, 1997 and that are included in the October 2000 edition of the CFR.

Docket HM-169B (63 FR 48566, September 10, 1998) Removes regulations on "Radiation Protection Program" and related modal provisions that require persons who offer, accept for transportation or transport radioactive

## DEPARTMENT OF TRANSPORTATION

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materials to develop and maintain a written radiation program.

Docket HM-1890 (63 FR 52844, October 1, 1998) Corrects editorial errors, makes minor regulatory changes and improves the clarity of certain provisions in the Hazardous Materials Regulations (HMR).

Docket HM-215C (64 FR 10742, March 5, 1999) Amends the HMR to maintain alignment with international standards by incorporating changes to proper shipping names, hazards classes, packing groups, special provisions, and packaging authorizations. Also eliminates the "Keep Away From Food" label for poisonous materials in Division 6.1, Packing Group III.

Docket HM-215C (64 FR 44426, August 16, 1999) Corrects minor errors in the March 5, 1999 final rule.

Docket HM-215C (64 FR 44578, August 16, 1999) Corrects minor errors to 49 CFR 172.101- Hazardous Material Table- in the March 5, 1999 final rule.

Docket HM-224A (64 FR 45388, August 19, 1999) Prohibits the carriage of chemical oxidizers in inaccessible aircraft cargo compartments that do not have a fire or smoke detection and fire suppression system and limits the number of oxygen cylinders that may be stowed on an aircraft.

Docket HM-189P (64 FR 51912, September 27, 1999) Corrects editorial errors, makes minor regulatory changes and improves the clarity of certain provisions in the HMR.

Docket HM-189P (64 FR 61219, November 10, 1999) Corrects minor errors in the September 27, 1999 final rule.

Docket HM-145L (65 FR 7310, February 14, 2000) Amends the Hazardous Materials Regulations by revising the "List of Hazardous Substances and Reportable Quantities" that appear in Appendix A to the Hazardous Materials Table.

Docket HM-218 (65 FR 50450, August 18, 2000) Incorporates miscellaneous changes based on petitions for rulemaking and RSPA initiatives. This rulemaking updates, clarifies, improves regulatory requirements and provides relief from certain requirements where feasible.

Docket HM-189Q (65 FR 58614, September 29, 2000) Corrects editorial errors, makes minor regulatory changes and improves the clarity of certain provisions in the regulations. Additionally, the Department's regulations will also incorporate changes made in the following Docket not currently found in the October 1, 2000 edition:

Docket HM-189Q (65 FR 60382, October 11, 2000) Corrects the final rule of September 29, 2000.

## DEPARTMENT OF TRANSPORTATION

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16) Information and questions regarding this adopted amendment shall be directed to:

Ms. Catherine Allen  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

The full text of the adopted amendment begins on the next page:



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## TITLE 92: TRANSPORTATION

## CHAPTER I: DEPARTMENT OF TRANSPORTATION

## SUBCHAPTER C: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

regulations shall mean Part 172 of the Illinois Hazardous Materials Transportation Regulations.

2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean 92 Ill. Adm. Code: Chapter I, Subchapter c.

3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.

4) All references to part Parts 174, 175, or 176, or to sections therein shall be read to refer to those parts or sections in the federal hazardous materials transportation regulations.

5) All references to shipment of hazardous materials by air, water and rail are incorporated for reference purposes only for those persons contemplating intermodal movements of hazardous materials.

6) Any changes to 49 CFR 172 made effective by U.S. DOT Rulemaking Docket HM-187 [49 FR 21933 (May 24, 1984)] covering small arms ammunition are not incorporated.

(Source: Amended at 25 Ill. Reg. 7287-2, effective MAY 1987)

## PART 172

## HAZARDOUS MATERIALS TABLE AND HAZARDOUS MATERIALS COMMUNICATIONS

## Section

172.1000 General

172.2000 Incorporation by Reference of 49 CFR 172

172.2215 Permanent Shipping Papers (Repealed)

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/4(a) and 9(a)].

SOURCE: Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; amended at 6 Ill. Reg. 4287, 4487 and 4573, effective April 16, 1982; amended at 7 Ill. Reg. 3486, effective April 2, 1983; amended at 8 Ill. Reg. 19640, effective October 1, 1984; codified at 8 Ill. Reg. 19601; amended at 8 Ill. Reg. 19622, effective October 1, 1984; emergency amendment at 8 Ill. Reg. 22889, effective November 9, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3810, effective March 11, 1985; Part repealed, new Part adopted at 10 Ill. Reg. 5864, effective April 1, 1986; amended at 10 Ill. Reg. 20759, effective December 1, 1986; emergency amendment at 11 Ill. Reg. 1690, effective January 16, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 4777, effective March 10, 1987; amended at 11 Ill. Reg. 7773, effective April 14, 1987; amended at 11 Ill. Reg. 17893, effective October 20, 1987; amended at 12 Ill. Reg. 8084, effective April 26, 1988; amended at 13 Ill. Reg. 3993, effective March 14, 1989; amended at 14 Ill. Reg. 2628, effective February 1, 1990; amended at 15 Ill. Reg. 7760, effective May 7, 1991; amended at 16 Ill. Reg. 11851, effective July 13, 1992; amended at 18 Ill. Reg. 7874, effective May 6, 1994; amended at 20 Ill. Reg. 6549, effective April 30, 1996; amended at 22 Ill. Reg. 5703, effective March 4, 1998; amended at 22 Ill. Reg. 17019, effective September 30, 1998; amended at 25 Ill. Reg. 7287-2, effective MAY 1987.

## Section 172.2000 Incorporation by Reference of 49 CFR 172

a) As Part 172 of the Illinois Hazardous Materials Transportation Regulations, the Department incorporates 49 CFR 172 by reference, as that Part of the federal hazardous materials transportation regulations was in effect on October 1, 2000; as amended at 65 FR 60382, October 11, 2000 1997; ~~as amended at 63 FR 16070, April 17, 1998 and as amended at 63 FR 37454, July 10, 1998~~, subject only to the exceptions in subsection (b) of this Section. No later amendments to or editions of 49 CFR 172 are incorporated.

b) The following interpretations of, additions to and deletions from 49 CFR 172 shall apply for purposes of this Part.

1) All references to "this part" in the incorporated federal

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Docket HM-215C (63 FR 57929, October 29, 1998) Amends a requirement for use of the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air.

Docket HM-225B (64 FR 9923, March 1, 1999) Extends from March 1, 1999 to July 1, 1999, the period for continued manufacture of MC 331 cargo tanks without certification and demonstrated performance of the emergency discharge control system.

Docket HM-215C (64 FR 10742, March 5, 1999) Amends the HMR to maintain alignment with international standards by incorporating changes to proper shipping names, hazard classes, packing groups, special provisions and packaging authorizations. Also, eliminates the "Keep Away From Food" label for poisonous materials in Division 6.1, Packing Group III.

Docket HM-225A (64 FR 28030, May 24, 1999) Revises regulations applicable to the transportation and unloading of liquefied compressed gases. The revisions include new inspection, maintenance and testing requirements for cargo tank discharge systems, including delivery hose assemblies, and revised attendance requirements. Also revised the requirements for cargo tank emergency discharge control equipment.

Docket HM-224A (64 FR 45388, August 19, 1999) Prohibits the carriage of chemical oxidizers in inaccessible aircraft cargo compartments that do not have a fire or smoke detection and fire suppression system and limits the number of oxygen cylinders that may be stowed on an aircraft.

Docket HM-206D (64 FR 50260, September 16, 1999) Provides a limited exception, until October 1, 2001, from requirements to place the new POISON INHALATION HAZARD or POISON GAS labels on packages that are intended for transportation in international commerce.

Docket HM-206D (64 FR 51719, September 24, 1999) Corrects an error in the September 16, 1999 final rule in the section on Canadian shipments and packaging.

Docket HM-189P (64 FR 51912, September 27, 1999) Corrects editorial errors, makes minor regulatory changes, and improves the clarity of certain provisions in the HMR.

Docket HM-189P (64 FR 61219, November 10, 1999) Corrects minor errors in the September 27, 1999 final rule.

Docket HM-218 (65 FR 50450, August 18, 2000) Incorporates miscellaneous changes based on petitions for rulemaking and RSPA initiatives. This rulemaking updates, clarifies and improves regulatory requirements and provides relief from certain requirements where feasible.

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1) Heading of the Part: Hazardous Materials Transportation: General Information, Regulations and Definitions

2) Code Citation: 92 Ill. Adm. Code 171

3) Section Numbers: Adopted Action:  
171.22 Amend  
171.1000 Amend

4) Statutory Authority: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/4(a) and 9(a)].

5) Effective Date of Amendments: May 19, 2001

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? Yes

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: February 9, 2001, 25 Ill. Reg. 2354

10) Has JCAR issued a Statement of Objections to these amendments? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.

13) Will these amendments replace emergency amendments currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: By this Notice, the Department is updating the incorporation by reference date of 49 CFR 171 to the October 1, 2000 edition, the most recent edition of the CFR.

The following summaries provide a description of federal rulemakings that are applicable to this Part, that became effective since October 1, 1997 and that are included in the October 2000 edition of the CFR.

Docket HM-1890 (63 FR 52844, October 1, 1998) Corrects editorial errors, makes minor regulatory changes and improves the clarity of certain provisions in the Hazardous Materials Regulations (HMR).



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Docket HM-189Q (65 FR 58614, September 29, 2000) Corrects editorial errors, makes minor regulatory changes and improves the clarity of certain provisions in the regulations.

Additionally, at Section 171.22, the Department added a new subsection that provides an exception for the transportation of a class 2 agricultural product. This action is being taken pursuant to the federal final rulemaking of August 18, 2000 (65 FR 50450).

- 16) Information and questions regarding these adopted amendments shall be directed to:

Ms. Catherine Allen  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

The full text of the adopted amendments begins on the next page:

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## TITLE 92: TRANSPORTATION

## CHAPTER I: DEPARTMENT OF TRANSPORTATION

## SUBCHAPTER C: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

## PART 171

## HAZARDOUS MATERIALS TRANSPORTATION: GENERAL INFORMATION, REGULATIONS AND DEFINITIONS

Section	Purpose and Scope
171.1	General Transportation Requirements
171.2	Hazardous Waste
171.3	Exemptions (Renumbered)
171.4	Agricultural Exception (Repealed)
171.5	Agricultural Exception (Renumbered)
171.6	Matter Incorporated by Reference (Repealed)
171.7	Definitions and Abbreviations (Repealed)
171.8	Rules of Construction (Repealed)
171.9	Import and Export Shipments (Repealed)
171.10	Specification Markings (Repealed)
171.11	Incident Reporting Requirements
171.12	Exemptions
171.13	Continuation of Effectiveness of Existing Bureau of Explosives Registrations (Repealed)
171.14	Approvals or Authorizations Issued by the Bureau of Explosives (Repealed)
171.15	Retailer Exception
171.16	Agricultural Exception
171.17	Incorporation by Reference of 49 CFR 171

**AUTHORITY:** Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/4(a) and 9(a)].

**SOURCE:** Adopted at 3 Ill. Reg. 5, p. 41, effective February 1, 1979; amended at 6 Ill. Reg. 4287, effective April 16, 1982; amended at 7 Ill. Reg. 3486, effective April 2, 1983; codified at 8 Ill. Reg. 17984; amended at 10 Ill. Reg. 9636, effective May 15, 1986; amended at 10 Ill. Reg. 20753, effective December 1, 1986; emergency amendment at 11 Ill. Reg. 1684, effective January 16, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 4772, effective March 10, 1987; amended at 11 Ill. Reg. 7767, effective April 14, 1987; amended at 11 Ill. Reg. 17886, effective October 20, 1987; amended at 12 Ill. Reg. 8078, effective April 26, 1988; amended at 13 Ill. Reg. 3984, effective March 14, 1989; amended at 14 Ill. Reg. 2621, effective February 1, 1990; amended at 15 Ill. Reg. 7752, effective May 7, 1991; amended at 16 Ill. Reg. 12208, effective July 20, 1992; amended at 18 Ill. Reg. 7861, effective May 6, 1994; amended at 20 Ill. Reg. 6539, effective April 30, 1996; emergency amendment at 21 Ill. Reg. 4043, effective March 17, 1997, for a maximum of 150 days; emergency expired August 13, 1997; amended at 22 Ill. Reg. 5694, effective March 4, 1998;

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- 171.12a Canadian Shipments and Packagings
- 171.14 Transitional Provisions for Implementing Requirements Based on the UN Recommendations
- 171.18 Continuation of Effectiveness of Existing Bureau of Explosives Registrations
- 171.19 Approvals or Authorizations Issued by the Bureau of Explosives
- 171.20 Submission of Examination Reports

b) The following interpretations of, additions to and deletions from the above incorporated sections of 49 CFR 171 shall apply for purposes of this Part.

- 1) All references to "this part" in the incorporated federal regulations shall mean Part 171 of the Illinois Hazardous Materials Transportation Regulations.
- 2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean 92 Ill. Adm. Code: Chapter I, Subchapter c.
- 3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.
- 4) All references to part 176 or to sections therein shall be read to refer to that part or sections in the federal regulations.
- 5) All references to shipments of hazardous materials by air, water and rail are incorporated for reference purposes only for those persons contemplating intermodal movements of hazardous materials.
- 6) All references to "these regulations" refer to the Illinois Hazardous Materials Transportation Regulations, 92 Ill. Adm. Code 107 through 180.
- 7) All references to a "settlement agreement", in these regulations, means a written understanding between the Department and the person being charged.

(Source: Amended at 25 Ill. Reg. 7292, effective 7292)

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amended at 22 Ill. Reg. 17011, effective September 30, 1998; amended at 25 Ill. Reg. 7292, effective May 1, 1999.

Section 171.22 Agricultural Exception

- This Subchapter c does not apply to the transportation in Illinois of an agricultural product, other than Class 2 material, by a farmer as a private intrastate carrier over local roads between fields of the same farm in approved containers and in the amounts and manner specified in 49 CFR 173.5(b)(2) and (4).
- Transportation of a Class 2 agricultural product by a farmer as a private intrastate carrier over local roads between fields of the same farm in approved containers and in the amounts and manner specified in 49 CFR 173.5(b)(2) and (4) are excepted from the requirements of subparts G and H of 49 CFR 172.
- Transportation of an agricultural product to or from a farm, within 150 miles of the farm, in approved containers and conforming to 49 CFR 173.5(b)(1), (2) and (4) are excepted from the requirements in subparts G and H of 49 CFR 172.
- See also 49 CFR 173.5(c) pertaining to specification packagings used for aerial application of formulated liquid agricultural products.
- See also 49 CFR 173.315(m) pertaining to nurse tanks of anhydrous ammonia.
- See also 49 CFR 173.6 pertaining to materials of trade.

(Source: Amended at 25 Ill. Reg. 7292, effective 7292)

Section 171.1000 Incorporation by Reference of 49 CFR 171

- As Part 171 of the Illinois Hazardous Materials Transportation Regulations, the Department incorporates the following sections of 49 CFR 171 by reference, as those sections of the federal hazardous materials transportation regulations were in effect on October 1, 2000: 1997-as-amended-at-62-FR-65188, December-197-1997-and-as-amended-at-63-FR-37454, July-197-1998, subject only to the exceptions in subsection (b) of this Section. No later amendments to or editions of those sections of 49 CFR 171 are incorporated.

- 171.4 Marine Pollutions
- 171.5 Temporary Regulation: Liquefied Compressed Gases in Cargo Tank Motor Vehicles
- 171.7 Referenced Material
- 171.8 Definitions and Abbreviations
- 171.9 Rules of Construction
- 171.10 Units of Measure
- 171.11 Use of ICAO Technical Instructions
- 171.12 Import and Export Shipments



## DEPARTMENT OF TRANSPORTATION

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- 1) Heading of the Part: Procedures
- 2) Code Citation: 92 Ill. Adm. Code 107
- 3) Section Numbers: Adopted Action:  
107.315 Amend  
107.601 Amend
- 4) Statutory Authority: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/4(a) and 9(a)].
- 5) Effective Date of Amendments: May 19, 2001
- 6) Do these amendments contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? Yes
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 9, 2001, 25 Ill. Reg. 2360
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Difference between proposal and final version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.
- 13) Will these amendments replace emergency amendments currently in effect? No
- 14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: By this Notice, the Department has added to the criterion that must be met when a Notice of Intent to Assess Civil Monetary Penalty is issued. The revision includes a statement that if the respondent does not reply to the Notice of Intent to Assess Civil Monetary Penalty within 30 days of service upon respondent, the Secretary of the Department will order the assessment of the civil penalty stated in the Notice. Some operators of commercial motor vehicles fail to respond to the Department's Notice of Intent to Assess Civil Monetary Penalty. Therefore, this amendment was necessary to increase the likelihood that those carriers will respond or they will be automatically assessed the civil penalty.

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The following summary provides a description of a federal rulemaking that is applicable to this Part, that became effective since October 1, 1997 and that is included in the October 1, 2000 edition of the Code of Federal Regulations (CFR).

Docket HM-208C (65 FR 7297, February 14, 2000) Amends the registration and fee assessment program for persons who transport or offer for transportation certain categories and quantities of hazardous materials. The revision expands the criteria for those persons required to register to include all persons who offer transportation or transport hazardous materials that require placarding. This final rule adopts a two-tiered fee schedule and permits registration for one, two, or three years.

Additionally, the Department has updated the incorporation by reference date of 49 CFR 107, Subpart G to the October 1, 2000 edition, the most recent edition of the CFR.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Ms. Catherine Allen  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

The full text of the adopted amendments begins on the next page:

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PART 107  
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Service  
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SUBPART B: EXEMPTIONS

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Persons Holding Federal Exemptions  
Applications for Exemptions for Persons Transporting Hazardous Materials Not Governed by the Federal Hazardous Materials Regulations  
Application for Renewal  
Initial Application Review  
Processing of Application  
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107.337 Presiding Officer's Decision  
107.338 Compliance Order For Immediate Compliance  
107.339 Appeal  
107.341 Injunctions and Other Equitable Relief  
107.343 Imminent Hazards  
107.371 Criminal Penalties Generally  
107.373 Referral for Prosecution

SUBPART E: REGISTRATION OF PERSONS WHO OFFER OR TRANSPORT HAZARDOUS MATERIALS

Section  
107.601 Incorporation by Reference of 49 CFR 107, Subpart G

APPENDIX A Standard Conditions Applicable to Exemptions, Packages, Containers, Shipments

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/4(a) and 9(a)].

SOURCE: Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; amended at 3 Ill. Reg. 49, p. 273, effective December 10, 1979; amended at 6 Ill. Reg. 4287, effective April 16, 1982; codified at 8 Ill. Reg. 17979; amended at 10 Ill. Reg. 5876, effective April 1, 1986; amended at 14 Ill. Reg. 2633, effective February 1, 1990; amended at 14 Ill. Reg. 8189, effective May 15, 1990; amended at 18 Ill. Reg. 7881, effective May 6, 1994; amended at 20 Ill. Reg. 6554, effective April 30, 1996; amended at 22 Ill. Reg. 5708, effective March 4, 1998; amended at 22 Ill. Reg. 17023, effective September 30, 1998; amended at 25 Ill. Reg. 7298, effective MAY 1, 2001.

SUBPART D: ENFORCEMENT

Section 107.315 Commencement of Civil Penalty Proceeding

a) The Department, by the Director or his authorized representative, begins a civil penalty proceeding by serving a Notice of Intent to Assess Civil Monetary Penalty, in accordance with Section 107.11, on a person charging that person with having knowingly committed an act which is a violation of one or more provisions of the IHMTA.



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- b) A Notice of Intent to Assess Civil Monetary Penalty issued under this Section shall include:
- 1) Notice of the provision(s) of the IHMTR or settlement agreement which the respondent is believed to have violated;
  - 2) A brief description of the manner in which the respondent is believed to have violated the IHMTR or settlement agreement;
  - 3) Notice of the maximum amount of civil penalty for which the respondent may be liable;
  - 4) Notice of the amount of the civil penalty sought to be assessed by the Department; pursuant to 92 Ill. Adm. Code 401;
  - 5) A description of the manner in which the respondent shall make payment in accordance with Section 107.317 of any money to the State;
  - 6) A statement that the respondent may request a conference with the Department, by verbal or written request to the Director, to review and discuss the alleged violation and civil penalty, and of the procedures for requesting a conference; and
  - 7) A statement that if a settlement cannot be reached within 90 days, a Notice of Probable Violation will be served upon the respondent, and the respondent will have an opportunity for a hearing as provided by Section 11 of the Act and the IHMTR; and-
  - 8) A statement that if the respondent does not reply to the Notice of Intent to Assess Civil Monetary Penalty within 30 days after its service upon the respondent, the failure of the respondent to reply constitutes a waiver of its right to appear and contest the allegations, without further notice to the respondent, and authorizes the Secretary, without further notice to the respondent, to find the facts to be as alleged in the Notice of Intent to Assess Civil Monetary Penalty and order the assessment of the civil penalty stated in the Notice.
- c) In the event that the Department and the respondent do not enter a settlement agreement following service of a Notice of Intent to Assess Civil Monetary Penalty, the Department by the Director shall serve a Notice of Probable Violation on the respondent.
- d) A Notice of Probable Violation issued under this Section includes:
- 1) A statement of the provision(s) of the IHMTR or of a settlement agreement which the respondent is believed to have violated;
  - 2) A statement of the factual allegations upon which the proposed civil penalty is being sought;
  - 3) Notice of the maximum amount of civil penalty for which the respondent may be liable;
  - 4) Notice of the amount of the civil penalty sought to be assessed by the Department;
  - 5) A description of the manner in which the respondent shall make payment of any money to the State in accordance with Section 107.317;
  - 6) A statement of respondent's right to request a hearing and the procedures for requesting a hearing in accordance with Section

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- 107.318; and
- 7) A statement of respondent's right to appear at the hearing and to present relevant written or oral explanations, information and materials in answer to the allegations or in mitigation of the penalty.
  - e) A settlement of a civil penalty proceeding may be effectuated at any time upon agreement of the parties, shall be reduced to writing by the Department and signed by the parties. Terms of the settlement may include a reduction in the amount of the proposed civil penalty, and may include training and procedural requirements agreed upon by the respondent and Department. Training and procedural requirements may be agreed upon to increase awareness of and compliance with 92 Ill. Adm. Code 107 through 180, and 397, and those portions of 49 CFR adopted by reference.

(Source: Amended at 25 Ill. Reg. 7298, effective MAY 1997)

SUBPART E: REGISTRATION OF PERSONS WHO OFFER OR TRANSPORT HAZARDOUS MATERIALS

Section 107.601 Incorporation by Reference of 49 CFR 107, Subpart G

- a) 49 CFR 107, subpart G is hereby incorporated by reference as that subpart of the Hazardous Materials Transportation Regulations was in effect on October 1, 2000 ±997. No later amendments to or editions of 49 CFR 107, subpart G are incorporated.
- b) The following interpretations of, additions to and deletions from 49 CFR 107, subpart G shall apply for the purposes of this Subpart.
  - 1) Any reference to "this Part" in the incorporated material shall mean 92 Ill. Adm. Code 107.
  - 2) Any reference to "this Chapter" or "this Subchapter" in the incorporated material shall mean 92 Ill. Adm. Code: Chapter I, Subchapter c.
  - 3) Any reference to a section in the incorporated material shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.

(Source: Amended at 25 Ill. Reg. 7298, effective MAY 1997)

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## NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Shippers General Requirements for Shipments and Packagings
- 2) Code Citation: 92 Ill. Adm. Code 173
- 3) Section Numbers: Adopted Action:  
173.3000 Amend
- 4) Statutory Authority: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/4(a) and 9(a)].
- 5) Effective Date of Amendment: May 19, 2001
- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this amendment contain incorporations by reference? Yes

- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

- 9) Notice of Proposal Published in Illinois Register: February 9, 2001, 25 Ill. Reg. 2367

- 10) Has JCAR issued a Statement of Objections to this amendment? No

- 11) Difference between proposal and final version: In the first Agency Note at Section 173.3000, the Department changed the verb tense in several places.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

- 13) Will this amendment replace an emergency amendment currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Amendment: By this Notice, the Department is updating the incorporation by reference date of 49 CFR 173 to the October 1, 2000 edition that is the most recent edition of the CFR. This rulemaking includes the federal rulemaking adopted at 65 FR 60382, October 11, 2000.

The following summaries provide a description of federal rulemakings that are applicable to this Part, that became effective since October 1, 1997 and that are included in the October 1, 2000 edition of the CFR.

## DEPARTMENT OF TRANSPORTATION

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Docket HM-169B (63 FR 48566, September 10, 1998) Removes regulations on "Radiation Protection Program" and related modal provisions that require persons who offer, accept for transportation, or transport radioactive materials to develop and maintain a written radiation program.

Docket HM-1890 (63 FR 52844, October 1, 1998) Corrects editorial errors, makes minor regulatory changes, and improves the clarity of certain provisions in the HMR.

Docket HM-215C (64 FR 10742, March 5, 1999) Amends the Hazardous Materials Regulations (HMR) to maintain alignment with international standards by incorporating changes to proper shipping names, hazards classes, packing groups, specials provisions, and packaging authorizations. Also eliminates the "Keep Away From Food" label for poisonous materials in Division 6.1, Packing Group III.

Docket HM-225A (64 FR 28030, May 24, 1999) Revised regulations applicable to the transportation and unloading of liquefied compressed gases. The revisions include new inspection, maintenance, and testing requirements for cargo tank discharge systems, including delivery hose assemblies, and revised attendance requirements. Also revised the requirements for cargo tank emergency discharge control equipment.

Docket HM-215C (64 FR 44426, August 16, 1999) Corrects minor errors in the March 5, 1999 final rule.

Docket HM-189P (64 FR 51912, September 27, 1999) Corrects editorial errors, makes minor regulatory changes, and improves the clarity of certain provisions in the HMR.

Docket HM-218 (65 FR 50450, August 18, 2000) Incorporates miscellaneous changes based on petitions for rulemaking and RSPA initiatives. This rulemaking updates, clarifies and improves regulatory requirements and provides relief from certain requirements where feasible.

Docket HM-189Q (65 FR 58614, September 29, 2000) Corrects editorial errors, makes minor regulatory changes and improves the clarity of certain provisions in the regulations.

Additionally, the Department's regulations will incorporate changes made in the following Docket:

Docket HM-189Q (65 FR 60382, October 11, 2000) Corrects the final rule of September 29, 2000. Finally, two Agency Notes have been added at Section 173.3000 to clarify requirements that were in effect in Illinois prior to January 1, 1981. These requirements reference the transportation of anhydrous ammonia in MC-330 and MC-331 cargo tanks and the transportation of liquefied petroleum gas in non-specification cargo tanks.



## DEPARTMENT OF TRANSPORTATION

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16) Information and questions regarding this adopted amendment shall be directed to:

Ms. Catherine Allen  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

The full text of the adopted amendment begins on the next page:

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED AMENDMENT

TITLE 92: TRANSPORTATION

CHAPTER I: DEPARTMENT OF TRANSPORTATION

SUBCHAPTER C: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

## PART 173

## SHIPPERS GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

## Section

173.2000 General

173.3000 Incorporation by Reference of 49 CFR 173

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/4(a) and 9(a)].

SOURCE: Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; amended at 4 Ill. Reg. 30, p. 1244, effective July 10, 1980; amended at 5 Ill. Reg. 1715, effective February 9, 1981; amended at 6 Ill. Reg. 4287, effective April 16, 1982; amended at 6 Ill. Reg. 10036, effective August 2, 1982; amended at 7 Ill. Reg. 3486, effective April 12, 1983; codified at 8 Ill. Reg. 20015; Part repealed, new Part adopted at 10 Ill. Reg. 5886, effective April 1, 1986; amended at 10 Ill. Reg. 20764, effective December 1, 1986; amended at 11 Ill. Reg. 4781, effective March 10, 1987; amended at 11 Ill. Reg. 17898, effective October 20, 1987; amended at 12 Ill. Reg. 8089, effective April 26, 1988; amended at 13 Ill. Reg. 3998, effective March 14, 1989; amended at 14 Ill. Reg. 2651, effective February 1, 1990; amended at 15 Ill. Reg. 7765, effective May 7, 1991; amended at 16 Ill. Reg. 11856, effective July 13, 1992; amended at 18 Ill. Reg. 7895, effective May 6, 1994; amended at 20 Ill. Reg. 6560, effective April 30, 1996; amended at 22 Ill. Reg. 5720, effective March 4, 1998; amended at 22 Ill. Reg. 17028, effective September 30, 1998; amended at 25 Ill. Reg. ~~7304~~, effective ~~MAY 1 1999~~.

## Section 173.3000 Incorporation by Reference of 49 CFR 173

- a) As Part 173 of the Illinois Hazardous Materials Transportation Regulations, the Department incorporates 49 CFR 173 by reference, as that Part of the federal hazardous materials transportation regulations was in effect on October 1, 2000; as amended at 65 FR 60382, October 11, 2000 1997; ~~as amended at 63 FR 18847, January 12, 1998; as amended at 63 FR 8140, February 18, 1998; and as amended at 63 FR 37454, July 10, 1998~~, subject only to the exceptions in subsection (b) of this Section. No later amendments to or editions of 49 CFR 173 are incorporated.
- b) The following interpretations of, additions to and deletions from 49 CFR 173 shall apply for purposes of this Part.
- 1) All references to "this part" in the incorporated federal regulations shall mean Part 173 of the Illinois Hazardous Materials Transportation Regulations.
  - 2) All references to "this chapter" or "this subchapter" in the

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## NOTICE OF ADOPTED AMENDMENT

incorporated federal regulations shall mean 92 Ill. Adm. Code: Chapter I, Subchapter c.

- 3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.

- 4) All references to part parts 174, 175 or 176 or to sections therein shall be read to refer to those parts or sections in the federal hazardous materials transportation regulations.

- 5) All references to shipment of hazardous materials by air, water and rail are incorporated for reference purposes only for those persons contemplating intermodal movements of hazardous materials.

- 6) Any changes to 49 CFR 173 made effective by U.S. DOT Rulemaking Docket HM-187 (49 FR 21933 (May 24, 1984)) covering small arms ammunition are not incorporated.

- 7) 49 CFR 173.8(d)(3) is not incorporated by reference and is replaced by the following:

A non-specification metal tank having a capacity of less than 450 liters (119 gallons) is authorized in Illinois for the transportation of flammable liquid petroleum products by an intrastate motor carrier subject to the following conditions:

- A) Containers shall be tanks constructed of 18 gauge or heavier steel or equivalent gauge aluminum.  
B) Tanks shall be securely fastened to prevent separation from the vehicle.  
C) Tanks shall be electrically bonded to the frame of the vehicle.  
D) Tanks shall be protected against leakage or damage in the event of a turnover.  
E) Tanks may not be drained by gravity. Top mounted pumps must be designed and labeled for use with flammable and combustible liquids. No top mounted pump shall be higher than the highest point of the vehicle or permanently attached appurtenances (i.e., roll bars).  
F) Flammable liquid petroleum products being transported on a single vehicle may not exceed 450 liters (119 gallons).  
G) Flammable liquid petroleum product is offered for transportation and transported in conformance with all other applicable requirements of this Subchapter.

AGENCY NOTE: To clarify the provisions of 49 CFR 173.315(a) Note 17 (7), the transportation of anhydrous ammonia was permitted within Illinois prior to January 1, 1981 as follows: Only specifications MC-330 and MC-331 cargo tanks with a design pressure of 250 p.s.i.g., that had been in anhydrous ammonia service in Illinois prior to February 1, 1979, could continue in such service subject to continued qualification as required by all design and testing requirements specified by 49 CFR 180. Non-specification cargo tanks, other than nurse tanks (49 CFR 173.314(m)).

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were not authorized in Illinois for anhydrous ammonia service. All specifications MC-330 and MC-331 cargo tanks placed in such service after February 1, 1979 had to meet all requirements for the specification, including a minimum design service of 265 p.s.i.g.

AGENCY NOTE: To clarify the provisions of 49 CFR 173.315(k)(6), the transportation of liquefied petroleum gas within Illinois prior to January 1, 1981 was as follows: Non-specification cargo tanks used to transport liquefied petroleum gas were not authorized for intrastate transportation within Illinois prior to January 1, 1981.

(Source: Amended at 25 Ill. Reg. 7304, effective 7/30/81)



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- 1) Heading of the Part: Specifications for Packagings
- 2) Code Citation: 92 Ill. Adm. Code 178
- 3) Section Numbers: Adopted Action:  
178.2000 Amend
- 4) Statutory Authority: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/4(a) and 9(a)].
- 5) Effective Date of Amendment: May 19, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? Yes
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 9, 2001, 25 Ill. Reg. 2373
- 10) Has JCAR issued a Statement of Objections to this amendment? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: By this Notice, the Department is updating the incorporation by reference date of 49 CFR 178 to the October 1, 2000 edition, the most recent edition of the CFR. The following summaries provide a description of federal rulemakings that are applicable to this Part, that became effective since October 1, 1997 and that are included in the October 1, 2000 edition of the Code of Federal Regulations (CFR).

Docket HM-1890 (63 FR 52844, October 1, 1998) Corrects editorial errors, makes minor regulatory changes, and improves the clarity of certain provisions in the hazardous materials regulations.

Docket HM-215C (64 FR 10742, March 5, 1999) Amends the Hazardous Materials

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Regulations (HMR) to maintain alignment with international standards by incorporating changes to proper shipping names, hazard classes, packing groups, specials provisions, and packaging authorizations. Also eliminates the "Keep Away From Food" label for poisonous materials in Division 6.1, Packing Group III.

Docket HM-225A (64 FR 28030, May 24, 1999) Revised regulations applicable to the transportation and unloading of liquefied compressed gases. The revisions include new inspection, maintenance, and testing requirements for cargo tank discharge systems, including delivery hose assemblies, and revised attendance requirements. Also, revised the requirements for cargo tank emergency discharge control equipment.

Docket HM-189P (64 FR 51912, September 27, 1999) Corrects editorial errors, makes minor regulatory changes and improves the clarity of certain provisions in the HMR.

Docket HM-218 (65 FR 50450, August 18, 2000) Incorporates miscellaneous changes based on petitions for rulemaking and RSPA initiatives. This rulemaking updates, clarifies and improves regulatory requirements and provides relief from certain requirements where feasible.

Docket HM-189Q (65 FR 58614, September 29, 2000) Corrects editorial errors, makes minor regulatory changes and improves the clarity of certain provisions in the regulations.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Ms. Catherine Allen  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

The full text of the adopted amendment begins on the next page:

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TITLE 92: TRANSPORTATION

CHAPTER I: DEPARTMENT OF TRANSPORTATION

SUBCHAPTER C: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

PART 178

SPECIFICATIONS FOR PACKAGINGS

Section	Specification MC 300; Cargo Tanks Constructed of Mild (Open Hearth or Blue Annealed) Steel, or Combination of Mild Steel with High Tensile Steel, or Stainless Steel, Primarily For the Transportation of Flammable Liquids or Poisonous Liquids, Class B
178.321	
178.321.0.1	[178.321-1] General Requirements
178.321.0.2	[178.321-2] Material
178.321.0.3	[178.321-3] Thickness
178.321.0.4	[178.321-4] Joints
178.321.0.5	[178.321-5] Bulkheads, Baffles, and Ring Stiffeners
178.321.0.6	[178.321-6] Closures for Manholes
178.321.0.7	[178.321-7] Overturn Protection
178.321.0.8	[178.321-8] Outlets
178.321.0.9	[178.321-9] Vents, Valves, and Connections
178.321.1.0	[178.321-10] Protection of Fittings
178.321.1.1	[178.321-11] Emergency Discharge Control
178.321.1.2	[178.321-12] Shear Section
178.321.1.3	[178.321-13] Anchoring of Tank
178.321.1.4	[178.321-14] Gauging Devices
178.321.1.5	[178.321-15] Pumps
178.321.1.6	[178.321-16] Testing Requirements
178.321.1.7	[178.321-17] Marking of Cargo Tanks
178.321.1.8	[178.321-18] Certification
178.322	Specification MC 301; Cargo Tanks Constructed of Welded Aluminum Alloy (Grade 3S), To Be Mounted On and To Form Part Of Tank Motor Vehicles for Transportation of Flammable Liquids, and Poisonous Liquids, Class B
178.322.0.1	[178.322-1] General Requirements
178.322.0.3	[178.322-3] Certification
178.322.0.5	[178.322-5] Marking of Cargo Tanks
178.322.0.9	[178.322-9] Testing Requirements
178.322.1.1	[178.322-11] Material
178.322.1.2	[178.322-12] Thickness of Sheets and Ring Stiffeners
178.322.1.3	[178.322-13] Tolerance
178.322.1.4	[178.322-14] Joints
178.322.1.7	[178.322-17] Tank Outlets
178.322.1.8	[178.322-18] Bulkheads, Baffles, and Ring Stiffeners
178.322.1.9	[178.322-19] Tank Vents
178.322.2.0	[178.322-20] Valve and Faucet Connections
178.322.2.1	[178.322-21] Emergency Discharge Control
178.322.2.2	[178.322-22] Shear Section
178.322.2.3	[178.322-23] Protection of Valves and Faucets

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[178.322-24] Overturn Protection

Specification MC 302; Cargo Tanks Constructed of Welded Aluminum Alloy (ASTM B209-57T), Primarily For the Transportation of Flammable Liquids, or Poisonous Liquids, Class B

178.322.2.4	[178.322-24] Overturn Protection
178.323	
178.323.0.1	[178.323-1] General Requirements
178.323.0.2	[178.323-2] Material
178.323.0.3	[178.323-3] Thickness of Metal
178.323.0.4	[178.323-4] Joints
178.323.0.5	[178.323-5] Bulkheads, Baffles, and Ring Stiffeners
178.323.0.6	[178.323-6] Closures for Manholes
178.323.0.7	[178.323-7] Overturn Protection
178.323.0.8	[178.323-8] Tank Outlets
178.323.0.9	[178.323-9] Vents, Valves, and Connections
178.323.1.0	[178.323-10] Protection of Fittings
178.323.1.1	[178.323-11] Emergency Discharge Control
178.323.1.2	[178.323-12] Shear Section
178.323.1.3	[178.323-13] Anchoring of Tank
178.323.1.4	[178.323-14] Gauging Devices
178.323.1.5	[178.323-15] Pumps
178.323.1.6	[178.323-16] Testing Requirements
178.323.1.7	[178.323-17] Marking of Cargo Tanks
178.323.1.8	[178.323-18] Certification
178.324	Specification MC 303; Cargo Tanks Constructed of Welded Ferrous Alloy (High-Tensile Steel), or Stainless Steel, Primarily For the Transportation of Flammable Liquids, or Poisonous Liquids, Class B
178.324.0.1	[178.324-1] General Requirements
178.324.0.2	[178.324-2] Material
178.324.0.3	[178.324-3] Thickness of Metal
178.324.0.4	[178.324-4] Joints
178.324.0.5	[178.324-5] Bulkheads, Baffles, and Ring Stiffeners
178.324.0.6	[178.324-6] Closures for Manholes
178.324.0.7	[178.324-7] Overturn Protection
178.324.0.8	[178.324-8] Outlets
178.324.0.9	[178.324-9] Vents, Valves, and Connections
178.324.1.0	[178.324-10] Protection of Fittings
178.324.1.1	[178.324-11] Emergency Discharge Control
178.324.1.2	[178.324-12] Shear Section
178.324.1.3	[178.324-13] Anchoring of Tank
178.324.1.4	[178.324-14] Gauging Devices
178.324.1.5	[178.324-15] Pumps
178.324.1.6	[178.324-16] Testing Requirements
178.324.1.7	[178.324-17] Marking of Cargo Tanks
178.324.1.8	[178.324-18] Certification
178.325	Specification MC 304; Cargo Tanks Constructed of Mild (Open Hearth or Blue Annealed) Steel, Welded Ferrous Alloy (High-Tensile) Steel, or Aluminum, Primarily For the Transportation of Flammable Liquids, or Poisonous Liquids, Class B



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B, Having Reid (ASTM D-323) Vapor Pressures of 18 PSIA or More at 100 degrees F., But Less Than Those Stated in 92 Ill. Adm. Code 173.300, In Defining Components

178.325.0.1  
178.325.0.2  
178.325.0.3  
178.325.0.4  
178.325.0.5  
178.325.0.6  
178.325.0.7  
178.325.0.8  
178.325.0.9  
178.325.1.0  
178.325.1.1  
178.325.1.2  
178.325.1.3  
178.325.1.4  
178.325.1.5  
178.325.1.6  
178.325.1.7  
178.325.1.8  
178.326

Specification MC 305; Cargo Tanks Constructed of Aluminum Alloys for High-Strength Welded Construction, Primarily For the Transportation of Flammable Liquids, or Poisonous Liquids, Class B

178.326.0.1  
178.326.0.2  
178.326.0.3  
178.326.0.4  
178.326.0.5  
178.326.0.6  
178.326.0.7  
178.326.0.8  
178.326.0.9  
178.326.1.0  
178.326.1.1  
178.326.1.2  
178.326.1.3  
178.326.1.4  
178.326.1.5  
178.326.1.6  
178.326.1.7  
178.326.1.8  
178.330

Specification MC 310; Cargo Tanks Constructed of Ferrous Materials, Primarily For the Transportation of Corrosive Liquids  
[178.330-1] General Requirements  
[178.330-2] Material  
[178.330-3] Thickness of Metal

178.330.0.4  
178.330.0.5  
178.330.0.6  
178.330.0.7  
178.330.0.8  
178.330.0.9  
178.330.1.0  
178.330.1.1  
178.330.1.2  
178.330.1.3  
178.330.1.4  
178.330.1.5  
178.330.1.6  
178.330.1.7  
178.330.1.8  
178.331

Specification MC 311; Cargo Tanks Constructed of Ferrous Metals or Aluminum, Primarily For the Transportation of Corrosive Liquids

178.331.0.1  
178.331.0.2  
178.331.0.3  
178.331.0.4  
178.331.0.5

[178.331-1] General Requirements  
[178.331-2] Material  
[178.331-3] Thickness of Metal  
[178.331-4] Joints  
[178.331-5] Bulkheads, Baffles, and Ring Stiffeners, Supports, and Compartmentation

178.331.0.6  
178.331.0.7  
178.331.0.8  
178.331.0.9  
178.331.1.0  
178.331.1.1  
178.331.1.2  
178.331.1.3  
178.331.1.4  
178.331.1.5  
178.331.1.6  
178.331.1.7  
178.331.1.8  
178.336

[178.331-6] Closures for Manholes  
[178.331-7] Overturn Protection  
[178.331-8] Outlets  
[178.331-9] Vents, Valves, and Connections  
[178.331-10] Protection of Fittings  
[178.331-11] Emergency Discharge Control  
[178.331-12] Shear Section  
[178.331-13] Anchoring of Tank  
[178.331-14] Gauging Devices  
[178.331-15] Pumps and Compressors  
[178.331-16] Testing Requirements  
[178.331-17] Marking of Cargo Tanks  
[178.331-18] Certification  
Specification MC 330; Cargo Tanks Constructed of Steel, Primarily For Transportation of Compressed Gases

178.336.0.1  
178.336.0.2  
178.336.0.3  
178.336.0.4  
178.336.0.5  
178.336.0.6  
178.336.0.7  
178.336.0.8

[178.336-1] General Requirements  
[178.336-2] Material  
[178.336-3] Thickness of Metal  
[178.336-4] Joints  
[178.336-5] Bulkheads, Baffles, and Ring Stiffeners  
[178.336-6] Closures for Manholes  
[178.336-7] Overturn Protection  
[178.336-8] Outlets

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178.341.0.2 [178.341-2] Thickness of Shells, Heads, Bulkheads, and Baffles (Repealed)  
178.341.0.3 [178.341-3] Closures for Fill Openings and Manholes (Repealed)  
178.341.0.4 [178.341-4] Vents (Repealed)  
178.341.0.5 [178.341-5] Emergency Flow Control (Repealed)  
178.341.0.6 [178.341-6] Gauging Devices (Repealed)  
178.341.0.7 [178.341-7] Method of Test (Repealed)  
178.342 [Specification MC 307; Cargo Tanks (Repealed)  
178.342.0.1 [178.342-1] General Requirements (Repealed)  
178.342.0.2 [178.342-2] Thickness of Shell, Heads, Bulkheads, and Baffles (Repealed)  
178.342.0.3 [178.342-3] Closures for Manholes (Repealed)  
178.342.0.4 [178.342-4] Vents (Repealed)  
178.342.0.5 [178.342-5] Outlets (Repealed)  
178.342.0.6 [178.342-6] Gauging Devices (Repealed)  
178.342.0.7 [178.342-7] Method of Test (Repealed)  
178.343 [Specification MC 312; Cargo Tanks (Repealed)  
178.343.0.1 [178.343-1] General Requirements (Repealed)  
178.343.0.2 [178.343-2] Thickness of Shell, Heads, Bulkheads, and Baffles of Non-Asme Code Tanks (Repealed)  
178.343.0.3 [178.343-3] Closures for Manholes (Repealed)  
178.343.0.4 [178.343-4] Vents (Repealed)  
178.343.0.5 [178.343-5] Outlets (Repealed)  
178.343.0.6 [178.343-6] Gauging Devices (Repealed)  
178.343.0.7 [178.343-7] Method of Test (Repealed)  
178.350 [Specification 7A; General Packaging, Type A (Repealed)  
178.350.0.1 [178.350-1] General Requirements (Repealed)  
178.350.0.2 [178.350-2] Specific Requirements (Repealed)  
178.350.0.3 [178.350-3] Marking (Repealed)  
178.1000 General  
178.2000 Incorporation by Reference of 49 CFR 178

APPENDIX C Tensile Specimen  
APPENDIX D Material Thickness (Repealed)  
TABLE A Minimum Thickness of Heads, Bulkheads, and Baffles (Repealed)  
TABLE B Minimum Thickness of Shell Sheets (Repealed)

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/4(a) and 9(a)].

SOURCE: Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; amended at 5 Ill. Reg. 1715, effective February 9, 1981; amended at 6 Ill. Reg. 10036, effective August 2, 1982; amended at 8 Ill. Reg. 19640, effective October 1, 1984; codified at 8 Ill. Reg. 20047; amended at 8 Ill. Reg. 20064, effective October 1, 1984; amended at 10 Ill. Reg. 5897, effective April 1, 1986; amended at 10 Ill. Reg. 20770, effective December 1, 1986; amended at 11 Ill. Reg. 4786, effective March 10, 1987; amended at 11 Ill. Reg. 17904, effective October 20, 1987; amended at 12 Ill. Reg. 8093, effective April 26, 1988;

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178.336.0.9 [178.336-9] Safety Relief Devices, Valves, and Connections  
178.336.1.0 [178.336-10] Protection of Fittings  
178.336.1.1 [178.336-11] Emergency Discharge Control  
178.336.1.2 [178.336-12] Shear Section  
178.336.1.3 [178.336-13] Anchoring of Cargo Tank  
178.336.1.4 [178.336-14] Gauging Devices  
178.336.1.5 [178.336-15] Pumps and Compressors  
178.336.1.6 [178.336-16] Testing Requirements  
178.336.1.7 [178.336-17] Marking of Cargo Tanks  
178.336.1.8 [178.336-18] Certification  
178.337 [Specification MC 331; Cargo Tanks Constructed of Steel, Primarily For Transportation of Compressed Gases, As Defined In the Compressed Gas Section (Repealed)  
178.337.0.1 [178.337-1] General Requirements (Repealed)  
178.337.0.2 [178.337-2] Material (Repealed)  
178.337.0.3 [178.337-3] Thickness of Tank Metal (Repealed)  
178.337.0.4 [178.337-4] Joints (Repealed)  
178.337.0.5 [178.337-5] Bulkheads, Baffles, and Ring Stiffeners (Repealed)  
178.337.0.6 [178.337-6] Closure for Manhole (Repealed)  
178.337.0.7 [178.337-7] Overturn Protection (Repealed)  
178.337.0.8 [178.337-8] Outlets (Repealed)  
178.337.0.9 [178.337-9] Safety Relief Devices, Valves, and Connections (Repealed)  
178.337.1.0 [178.337-10] Protection of Fittings (Repealed)  
178.337.1.1 [178.337-11] Emergency Discharge Control (Repealed)  
178.337.1.2 [178.337-12] Shear Section (Repealed)  
178.337.1.3 [178.337-13] Supporting and Anchoring (Repealed)  
178.337.1.4 [178.337-14] Gauging Devices (Repealed)  
178.337.1.5 [178.337-15] Pumps and Compressors (Repealed)  
178.337.1.6 [178.337-16] Testing (Repealed)  
178.337.1.7 [178.337-17] Marking (Repealed)  
178.337.1.8 [178.337-18] Certification (Repealed)  
178.340 [General Design and Construction Requirements Applicable to Specifications MC 306 (Section 178.341), MC 307 (Section 178.342), and MC 312 (Section 178.343) Cargo Tanks (Repealed)  
178.340.0.1 [178.340-1] Specification Requirements For MC 306, MC 307, and MC 312 Cargo Tanks (Repealed)  
178.340.0.2 [178.340-2] General Requirements (Repealed)  
178.340.0.3 [178.340-3] Material (Repealed)  
178.340.0.4 [178.340-4] Structural Integrity (Repealed)  
178.340.0.5 [178.340-5] Joints (Repealed)  
178.340.0.6 [178.340-6] Supports and Anchoring (Repealed)  
178.340.0.7 [178.340-7] Circumferential Reinforcements (Repealed)  
178.340.0.8 [178.340-8] Accident Damage Protection (Repealed)  
178.340.0.9 [178.340-9] Pumps (Repealed)  
178.340.1.0 [178.340-10] Certification (Repealed)  
178.341 [Specification MC 306; Cargo Tanks (Repealed)  
178.341.0.1 [178.341-1] General Requirements (Repealed)



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED AMENDMENT

amended at 13 Ill. Reg. 4004, effective March 14, 1989; amended at 14 Ill. Reg. 2640, effective February 1, 1990; amended at 15 Ill. Reg. 7771, effective May 7, 1991; amended at 16 Ill. Reg. 11863, effective July 13, 1992; amended at 18 Ill. Reg. 7901, effective May 6, 1994; amended at 20 Ill. Reg. 6566, effective April 30, 1996; amended at 22 Ill. Reg. 5726, effective March 4, 1998; amended at 22 Ill. Reg. 17032, effective September 30, 1998; amended at 25 Ill. Reg. 7310, effective MAY 1 1999.

AGENCY NOTE: In reading this Part it is necessary to read Sections 178.1000 and 178.2000 prior to reading the remaining Sections in numerical order.

## Section 178.2000 Incorporation by Reference of 49 CFR 178

- a) As Part 178 of the Illinois Hazardous Materials Transportation Regulations, the Department incorporates 49 CFR 178 by reference, as that Part of the federal hazardous materials transportation regulations was in effect on October 1, 2000 1997--and-as-amended-at 63-PR-374547--July--107--1998, subject only to the exceptions in subsection (f) of this Section. No later amendments to or editions of 49 CFR 178 are incorporated.
- b) As Section 178.340 of the Illinois Hazardous Materials Transportation Regulations, the Department hereby incorporates 49 CFR 178.340 as that section of the federal hazardous materials transportation regulations was in effect on October 1, 1989.
- c) As Section 178.341 of the Illinois Hazardous Materials Transportation Regulations, the Department hereby incorporates 49 CFR 178.341 as that section of the federal hazardous materials transportation regulations was in effect on October 1, 1989.
- d) As Section 178.342 of the Illinois Hazardous Materials Transportation Regulations, the Department hereby incorporates 49 CFR 178.342 as that section of the federal hazardous materials transportation regulations was in effect on October 1, 1989.
- e) As Section 178.343 of the Illinois Hazardous Materials Transportation Regulations, the Department hereby incorporates 49 CFR 178.343 as that section of the federal hazardous materials transportation regulations was in effect on October 1, 1989.
- f) The following interpretations of, additions to and deletions from the 49 CFR 178 shall apply for purposes of this Part.
  - 1) All references to "this part" in the incorporated federal Regulations shall mean Part 178 of the Illinois Hazardous Materials Transportation Regulations.
  - 2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean 92 Ill. Adm. Code: Chapter I, Subchapter c.
  - 3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED AMENDMENT

- 4) All references to part parts 174, 175 or 176, or to sections therein shall be read to refer to those parts or sections in the federal hazardous materials transportation regulations.

(Source: Amended at 25 Ill. Reg. 7310, effective MAY 1 1999)

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Specifications for Tank Cars
- 2) Code Citation: 92 Ill. Adm. Code 179
- 3) Section Numbers: 179.2000  
Adopted Action:  
Amended
- 4) Statutory Authority: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/4(a) and 9(a)].
- 5) Effective Date of Amendment: May 19, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? Yes
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 9, 2001, 25 Ill. Reg. 2384
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment: By this Notice, the Department is updating the incorporation by reference date of 49 CFR 179 to the October 1, 2000 edition, the most recent edition of the CFR.

The following summaries provide a description of federal rulemakings that are applicable to this Part, that became effective since October 1, 1997 and that are included in the October 1, 2000 edition of the Code of Federal Regulations (CFR).

Docket HM-1890 (63 FR 52844, October 1, 1998) Corrects editorial errors, makes minor regulatory changes, and improves the clarity of certain provisions in the Hazardous Materials Regulations (HMR).

## DEPARTMENT OF TRANSPORTATION

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- Docket HM-189P (64 FR 51912, September 27, 1999) Corrects editorial errors, makes minor regulatory changes, and improves the clarity of certain provisions in the HMR.
- Docket HM-218 (65 FR 50450, August 18, 2000) Incorporates miscellaneous changes based on petitions for rulemaking and RSPA initiatives. This rulemaking updates, clarifies and improves regulatory requirements and provides relief from certain requirements where feasible.
- Docket HM-189Q (65 FR 58614, September 29, 2000) Corrects editorial errors, makes minor regulatory changes and improves the clarity of certain provisions in the regulations.

16) Information and questions regarding this adopted amendment shall be directed to:

Ms. Catherine Allen  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

The full text of the adopted amendment begins on the next page:



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED AMENDMENT

TITLE 92: TRANSPORTATION  
 CHAPTER I: DEPARTMENT OF TRANSPORTATION  
 SUBCHAPTER C: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

PART 179  
 SPECIFICATIONS FOR TANK CARS

Section  
 179.1000 General  
 179.2000 Incorporation By Reference of 49 CFR 179

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/4(a) and 9(a)].

SOURCE: Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; amended at 6 Ill. Reg. 4287, effective April 16, 1982; old rules repealed, new rules adopted and codified at 8 Ill. Reg. 19677, effective October 1, 1984; amended at 10 Ill. Reg. 5909, effective April 1, 1986; amended at 10 Ill. Reg. 20824, effective December 1, 1986; amended at 11 Ill. Reg. 4796, effective March 10, 1987; amended at 11 Ill. Reg. 17915, effective October 20, 1987; amended at 12 Ill. Reg. 8102, effective April 26, 1988; amended at 15 Ill. Reg. 7781, effective May 7, 1991; amended at 16 Ill. Reg. 11875, effective July 13, 1992; amended at 18 Ill. Reg. 7912, effective May 6, 1994; amended at 20 Ill. Reg. 6577, effective April 30, 1996; amended at 22 Ill. Reg. 5736, effective March 4, 1998; amended at 23 Ill. Reg. 17042, effective September 30, 1998; amended at 25 Ill. Reg. 7320, effective MAY 14 2001.

## Section 179.2000 Incorporation By Reference of 49 CFR 179

a) As Part 179 of the Illinois Hazardous Materials Transportation Regulations, the Department incorporates the following sections of 49 CFR 179 by reference, as those sections of the federal hazardous materials transportation regulations were in effect on October 1, 1997, subject only to the exceptions in subsection (b) of this Section. No later amendments to or editions of those sections of 49 CFR 179 of the federal regulations are incorporated.

179.1	General
179.2	Definitions and abbreviations
179.5	Certificate of Construction
179.6	Repairs and alterations
179.7	Quality Assurance program
179.10	Tank mounting
179.11	Welding certification
179.12	Interior heater systems
179.16	Tank-head puncture-resistance systems
179.18	Thermal protection systems
179.20	Service equipment; protection systems

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED AMENDMENT

179.22	Marking
179.300	General specifications applicable to multi-unit tank car tanks designed to be removed from car structure for filling and emptying (classes DOT-106A and 110AW)
179.301	Individual specification requirements for multi-unit tank car tanks

b) The following interpretations of, additions to and deletions from the above incorporated sections of 49 CFR 179 shall apply for purposes of this Part.

- 1) All references to "this part" in the incorporated federal regulations shall mean Part 179 of the Illinois Hazardous Materials Transportation Regulations.
- 2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean 92 Ill. Adm. Code: Chapter I, Subchapter C.
- 3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations except references to Section 179.3 shall mean 49 CFR 179.3.
- 4) 49 CFR 179.2(a)(4) is deleted and replaced by the following: "'DOT' means the U.S. Department of Transportation and 'Department' means the Illinois Department of Transportation."

(Source: Amended at 25 Ill. Reg. 7320, effective MAY 14 2001)

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Audit Requirements of DHS
- 2) Code Citation: 89 Ill. Adm. Code 507
- 3) Section Numbers: Emergency Action:  
507.10 Amendment
- 4) Statutory Authority: Implementing and authorized by the Department of Human Services Act [20 ILCS 1305].
- 5) Effective Date of Amendments: May 18, 2001
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: N/A
- 7) Date filed with the Index Department: May 18, 2001
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: The agency is filing the amendments as an emergency to put them in place prior to the next State fiscal year. This will allow the less restrictive provisions of the revised rule to be the standard for the new fiscal year contracts. The rule as written is more restrictive and requires contractors to meet a higher standard than would be required under this rulemaking.
- 10) A Complete Description of the Subject and Issues Involved: This rulemaking will amend this Section to change the financial figures that require specified levels of audit requirements. The rulemaking will be less restrictive on providers.
- 11) Are there any other amendments pending on this Part? No
- 12) Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate
- 13) Information and questions regarding this amendment shall be directed to:

Ms. Susan Weir, Bureau Chief  
Bureau Administrative Rules and Procedures  
Department of Human Services  
100 South Grand Avenue East  
3rd Floor Harris Bldg.  
Springfield, Illinois 62762  
(217) 785-9772

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF EMERGENCY AMENDMENTS

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Amendments begins on the next page:



## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES  
SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

## PART 507

## AUDIT REQUIREMENTS OF DHS

## Section

## 507.10 Audit Requirements

EMERGENCY

AUTHORITY: Implementing and authorized by the Department of Human Services Act [20 ILCS 1305].

SOURCE: Adopted by emergency rule at 22 Ill. Reg. 12154, effective June 24, 1998, for a maximum of 150 days; emergency expired November 21, 1998; adopted at 22 Ill. Reg. 22386, effective December 8, 1998; emergency amendment at 23 Ill. Reg. 7768, effective June 24, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 12627, effective October 4, 1999; amended at 24 Ill. Reg. 9424, effective June 22, 2000; emergency amendment at 25 Ill. Reg. 7324, effective May 18, 2001, for a maximum of 150 days.

## Section 507.10 Audit Requirements

EMERGENCY

a) Based on the specific requirements of subsection (b) of (c) or (d), whichever applies, each Provider receiving purchase of service or grant contract funding (Provider) from the Department of Human Services (Department) shall annually submit to the Department a Fiscal/Administrative Checklist, an independent audit report and/or revenue and expense data in a form prescribed by the Department, and/or a Grant Report to enable the Department to perform fiscal monitoring and to account for the usage of funds paid to the Provider under Agreements with the Department. Providers subject to these requirements shall be notified by registered or certified letter no later than May 31 of the year of the contract. This letter shall contain detailed instructions related to the Fiscal/Administrative Checklist, independent audit requirements, and Grant Report, including provisions for requesting waivers, modifications and filing extensions.

b) If the Provider's combined purchase of service or grant contract funding for Department programs is less than \$300,000 \$100,000 and the Department performs rate calculations or expense and revenue analysis to determine payments for any of the programs, the Provider will be required to submit revenue and expense data in a form prescribed by the Department. Copies two copies shall be filed with the Department's Office of Contract Administration as directed in the registered or certified letter referenced in subsection (a). The

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report shall be submitted within 120 days after the end of the Provider's fiscal year. If any of the programs are grants the Provider will be required to submit a Grant Report.

c) If the Provider's combined purchase of service or grant contract funding for Department programs is less than \$300,000 but \$100,000 or more and the Department performs rate calculations or expense and revenue analysis to determine payments for any of the programs, the Provider shall be required to submit revenue and expense data in a form prescribed by the Department. If any of the programs are grants the Provider will be required to submit a Grant Report. All Providers with a combined purchase of service or grant funding for Department programs of \$300,000 or more are required to submit an independent audit report, the basic requirements are:

1) The audit shall be conducted by a Certified Public Accountant or Certified Public Accounting Firm licensed in the State of Illinois;

2) The audit report shall include the financial statements prescribed by the Financial Accounting Standards Board for Not-For-Profit Organizations, or the Governmental Accounting Standards Board for Governmental Entities, as appropriate;

3) The audits shall be conducted in accord with the "single audit" requirements and standards when the Provider receives or expends Federal funds that cumulatively exceed the Federal threshold. These requirements are detailed in Federal OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations"; and

4) The report shall be submitted within 120 days after the end of the provider's fiscal year. Two copies of any reports prepared in accordance with Federal OMB Circular A-133 shall be filed with the Department's Office of Contract Administration. Any request for an extension of time to file an independent audit report, Fiscal and Administrative Checklist, Grant Report or supplemental revenue and expense data shall be submitted to the Department's Manager of the Office of Contract Administration. The Manager of the Office of Contract Administration shall respond in writing to each such request within 14 days after it is received by the Office of Contract Administration.

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d)† A request for exception to the audit requirements prescribed in this Section shall be submitted to the Department's Manager of the Office of Contract Administration. Such requests shall be approved only when convincingly justified. The Department's Manager of the Office of Contract Administration shall respond in writing to each request for exception within 14 days after it is received by the Office of Contract Administration.

e)† Audit requirements may be waived by the Manager of the Office of Contract Administration when it is deemed to be in the interest of the State of Illinois or when it enhances the operating efficiency of the State. A written determination for the waiver shall be maintained by the Office of Contract Administration.

f)† Failure to meet the audit requirements contained in this Section shall result in the suspension of funding.

(Source: Amended by emergency rulemaking at 25 Ill. Reg. effective May 18, 2001, for a maximum of 150 days)

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## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part: Conservation Reserve Enhancement Program (CREP)

2) Code Citation: 17 Ill. Adm. Code 1515

3) Section Numbers: Emergency Action:  
 1515.20 Amendment  
 1515.30 Amendment  
 1515.40 Amendment  
 1515.50 Amendment  
 1515.60 Amendment  
 EXHIBIT A

4) Statutory Authority: Implementing and authorized by the Intergovernmental Cooperation Act [5 ILCS 220], the Soil and Water Conservation Districts Act [70 ILCS 405], the Fish and Aquatic Life Code [515 ILCS 5], the Wildlife Code [520 ILCS 5], the Real Property Conservation Rights Act [765 ILCS 120], and the Civil Administrative Code of Illinois (Part 13.5) [20 ILCS 805].

5) Effective Date of Emergency Amendment: May 22, 2001

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency amendment will remain in effect for the 150-day period.

7) Date filed with the Index Department: May 22, 2001

8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.

9) Reason for Emergency: The Conservation Reserve Enhancement Program (CREP) is a joint Federal and State incentive program targeted at retirement of environmentally sensitive ground in the Illinois River Watershed. The program currently operates under Title 17, Chapter I, Subchapter d, Part 1515 - Conservation Reserve Enhancement Program. Substantial increases in the eligible portions of the Illinois River Basin have been approved by the USDA but are not reflected in the current rules. Additionally, changes in administration and eligibility changes, based on experience from past program operation, need to be incorporated into the rule to correct and refine rule language. Many practices have been unable to be put into place, and landowners must continue to crop these lands until such time as the rules are revised. This has and will result in continued erosion of these acres, and increase sedimentation in the Illinois River and its tributaries.

10) A Complete Description of the Subjects and Issues Involved: CREP is a new program that utilizes Federal and State resources to retire frequently



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flooded and environmentally sensitive cropland. The major goal of CREP is to apply conservation practices that will reduce sedimentation and nutrients in the Illinois River watershed, while creating and enhancing habitat to increase fish and wildlife populations. CREP has two sides - Federal and State. The Federal side is a 15 year Conservation Reserve Program (CRP) contract. The State side is a voluntary 15 or 35 year contract extension or a permanent conservation easement. The State originally requested that the entire Illinois River Basin be included within the eligible enrollment area, and that a ceiling of 232,000 acres be eligible for enrollment within this area. The USDA substantially reduced the area and acres in their approval of our program with the initial limits of 100,000 acres set on a national scale. The State successfully requested and received inclusion of the LaMoine, Sangamon, Mazon and Aux Sable River watersheds in the eligible area. The State is still pursuing expansion to the entire Illinois River watershed and to the full 232,000 acres originally requested.

- 11) Are there any proposed amendments to this Part pending: No
- 12) Statement of Statewide Policy Objectives: These rules do not create or expand a state mandate.
- 13) Information and questions regarding this amendment shall be directed to:

Cindy Bushur-Hallam  
Department of Natural Resources  
524 S. Second Street, Room 485  
Springfield IL 62701-1787  
217/782-1809

The full text of the Emergency Amendments begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER d: FORESTRY

## PART 1515

## CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

Section	
1515.10	General Provisions
1515.20	Eligibility Requirements
<u>EMERGENCY</u>	
1515.30	Enrollment Process
<u>EMERGENCY</u>	
1515.40	Exceptions to Enrollment Process
<u>EMERGENCY</u>	
1515.50	Payments
<u>EMERGENCY</u>	
1515.60	Violation
<u>EMERGENCY</u>	
<u>EXHIBIT A</u>	Map of Eligible Area in Illinois River Watershed
<u>EMERGENCY</u>	

AUTHORITY: Implementing and authorized by the Intergovernmental Cooperation Act [5 ILCS 220], the Soil and Water Conservation Districts Act [70 ILCS 405], the Fish and Aquatic Life Code [515 ILCS 5], the Wildlife Code [520 ILCS 5], the Real Property Conservation Rights Act [765 ILCS 120], and the Civil Administrative Code of Illinois (Part 13.5) [20 ILCS 805].

SOURCE: Emergency rule adopted at 22 Ill. Reg. 18116, effective September 22, 1998, for a maximum of 150 days; emergency expired on February 19, 1999; adopted at 23 Ill. Reg. 3396, effective March 8, 1999; emergency amendment at 25 Ill. Reg. ~~7329~~ 7329, effective May 22, 2001, for a maximum of 150 days.

## Section 1515.20 Eligibility Requirements

EMERGENCY

Lands that meet the CREP eligibility criteria for CRP contracts as determined by the USDA Farm Service Agency (FSA) are eligible for the State Incentive Program, unless specifically excepted by Section 1515.40(a).

- a) The land acres to be enrolled under CREP must consist of eligible land in the Illinois River Watershed as described in the Agreement between the U.S. Department of Agriculture, Commodity Credit Corporation, and State of Illinois, as amended, for the Illinois River Watershed Conservation Reserve Enhancement Program, as shown on the attached map (Exhibit A). These acres are eligible if they are: ~~from--the subwatersheds-adjacent-to-the-Middle-Illinois-and-Peoria-bake-sections of-the-Illinois-River-and-the-adjacent-watersheds--of--the--Vermilion-Mackinaw--Spoon--Fox--lower-Sangamon--and-Kankakee-Rivers-as~~

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Wildlife Food Plot (CRP Practice CP 12)

Filter Strip (CRP Practice CP 21) - Filter strips can extend to the Natural Resources Conservation Service (NRCS) maximum design standard for Illinois based on percent slope for the purposes of water quality. Installation of appropriate practices authorized in this Section may be combined adjacent to CP 21 (Filter Strip) up to a combined maximum width for both practices of 234 feet.

Riparian Buffer (CRP Practice CP 22) - Riparian buffers can extend to the maximum widths allowed in the NRCS Field Office Technical Guide, which include the 100 year floodplain for water quality purposes.

Wetland Restoration (CRP Practice CP 23) - Will be applied to farmed wetlands, prior converted wetlands, wetlands farmed under natural conditions and lands that lie in the 100 year floodplain.

Rare and Declining Habitat (CRP Practice CP 25) - For prairie ecosystem restoration, tallgrass prairie/oak savanna ecosystem restoration, or floodplain wetland restoration (CRP Practice CP 25).

(Source: Amended by emergency rulemaking at 25 Ill. Reg. effective May 22, 2001, for a maximum of 150 days)

Section 1515.30 Enrollment Process  
EMERGENCY

- a) An applicant for the program must be enrolled in the Federal portion of the Conservation Reserve Enhancement Program.
- b) For the State incentive program, the enrollment process is initiated at the county Soil and Water Conservation District (SWCD) office. The participant, who must be enrolled in the Federal portion of the CRP or meet the criteria in Section 1515.40(d), completes the State enrollment form that specifies the desired option: a 15 year contract supplement, a 35 year contract supplement, or a permanent easement (minimum of 20 acres).
- c) The State enrollment form (Form) along with and the FSA approved CRP contract of the land to be enrolled shall be faxed to Office of Resource Conservation Forest Resources Division, Illinois Department of Natural Resources (IDNR) to document the date and time received. The Form is assigned State-form-receives an enrollment number and an approval date that obligates the State funding for that enrollment. Enrollments are accepted and numbers assigned on a first come-first served basis. If the appropriation for that fiscal year has been fully obligated, then the Form is assigned enrollment-receives a number and a date and placed on the waiting list for subsequent appropriations.

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shown on the attached map (EXHIBIT A). These acres will be further subdivided to include:

- 1) Lands 15,000--acres-of-lands with a weighted average Erodiability Index (EI)  $\geq 12$ . Such lands will only be eligible if: such lands are adjacent to a stream corridor; the landowner agrees to enroll riparian areas in the stream corridor using the CRP or any other CRP enrollment opportunity; and the land has become an uneconomic remnant as a result of the establishment of a riparian buffer; or the enrollment of the land is required for effective functioning of a riparian buffer; or and
  - 2) Riparian 65,000--acres-of-riparian areas, defined as the 100 year floodplain of the Illinois River and its associated tributaries and streams in the watersheds specified in subsection (a) of this Section and shown in Exhibit EXHIBIT A, or located within the watershed depicted in Exhibit A and determined to be for wetland restoration purposes, farmed wetlands, prior converted wetlands and wetlands farmed under natural conditions, that are located within the watersheds specified in the agreement shall be eligible for enrollment.
- b) The CRP practices that are eligible for use on the CRP enrollments to receive cost-share assistance are listed below. Exceptions can be made to eligible practices or to standards within a practice if the USDA/IDNR approved conservation plan identifies extenuating circumstances which justify the exception.

- 1) For lands qualifying on the basis of erosion (must have an EI  $\geq 12$ ):

- Establishment of Permanent Native Grasses (CRP Practice CP 2)
- Tree Planting (CRP Practice CP 3)
- Hardwood Tree Planting (CRP Practice CP 3A)
- Permanent Wildlife Habitat, Noneasement (CRP Practice CP 4D)
- Wildlife Food Plot (CRP Practice CP 12)
- Rare and Declining Habitat for prairie ecosystem restoration and tallgrass prairie/oak savanna ecosystem restoration (CRP Practice CP 25)
- 2) For lands qualifying as riparian areas:
  - Hardwood Tree Planting (CRP Practice CP 3A)
  - Permanent Wildlife Habitat, Noneasement (CRP Practice CP 4D)
  - Shallow Water Areas for Wildlife (CRP Practice CP 9)



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- d) The Form enrollment-form with the enrollment number and approval date or waiting list date shall be faxed back to the county SWCD office. The county SWCD shall work with the landowner to execute either a the contract supplement or permanent easement document documents and record the appropriate document them at the County Courthouse.
- e) Upon the cancellation of enrollment in the program by the landowner prior to execution of a contract supplement or permanent easement, the landowner shall be liable for repayment of the costs incurred by the Illinois Department of Natural Resources, including costs of survey, title work, attorney fees, cost share and recording fees associated with the enrollment process.

(Source: Amended by emergency rulemaking at 25 Ill. Reg. 7329-2, effective May 22, 2001, for a maximum of 150 days)

## Section 1515.40 Exceptions to Enrollment Process

## EMERGENCY

- a) Participants with land that is subject to a restrictive covenant that has already given the State the rights provided for in the CREP easement or are restoring the land for mitigation from a State or federal action are ineligible for State CREP bonus payments or State CREP cost-share payments.
- b) If a county SWCD decides chooses not to hold contract supplements or easements for that county, the enrollment forms will be completed at the county SWCD office. However, the IDNR will work with the landowner to execute and record the contract supplement or permanent easement document. supplements--and--easements--record--them--at--the County-Courthouse--and--administer--them--
- c) As provided for in the Real Property Conservation Rights Act [765 ILCS 120], any agency of the State, unit of local government, or not-for-profit corporation or trust whose primary purposes include the conservation of land and natural areas, may hold the CREP contract supplements or easements for a group of willing CREP participants. Such entity must contact IDNR with a signed list of willing participants. IDNR will assist the entity with the enrollment process. The entity must execute the contract supplements or easements, administer them, and provide annual reports to IDNR by September 30 of each year.
- d) Landowners with land enrolled in CRP sign-ups 14, 17, 19, and 21, which were later included within the CREP eligible area, are eligible to enroll non-cropped lands for permanent easements if the cropped and/or non-cropped land meets all other eligibility requirements and appropriate IDNR staff has determined the acceptability of this land for a permanent easement.

(Source: Amended by emergency rulemaking at 25 Ill. Reg. 7329-2, effective May 22, 2001, for a maximum of 150 days)

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## Section 1515.50 Payments

## EMERGENCY

Payments will be provided to the participant upon execution of the contract supplement or permanent easement based upon the following formulas:

- a) Bonus Payments
- 1) Permanent Easements
- A) The payment to a participant for a voluntary permanent easement will be a lump sum payment equal to the CRP maximum annual rental rate as determined by FSA based on soil types (exclusive of any federal incentive payments) times 15 years times 30 percent. A minimum of 20 acres is required for sign-up unless the total eligible acreage held by the landowner is less than 20 acres, all acres are included in the sign-up, and the acreage has been approved by IDNR due to location and relationship with adjacent enrollments.
- B) If the participant elects a permanent easement option, additional non-cropped acreage or land ground in another CRP sign-up may be offered for permanent easement. The participant will receive a lump sum payment based on the formula set forth for CREP State incentive, but using the soil type on the additional acreage. The participant must agree to for a conservation plan written and approved by the SWCD USDA and IDNR to be established at the time of enrollment for the total acreage in the permanent easement, but will receive no cost-share payment for any practice established on the additional non-cropped acreage or other CRP land. The criteria for a permanent easement on additional non-cropped acres or land ground-or-ground in another CRP sign-up are:
- i) Riparian land: 100 year floodplain of the Illinois River and its tributaries within the targeted eligible area must--be--adjacent--to--the-stream--tributary--or--Illinois-River;
- ii) Land must be adjacent to cropped acreage enrolled in a CREP permanent easement; or adjacent to the stream but on opposite stream bank (same landowner);
- iii) Land has an EI  $\geq$  12 and needs to be enrolled to meet the 20 acre minimum for permanent easements;
- iv) Land has EI  $\geq$  12 and has been approved by IDNR because of location and relationship with the remainder of enrollment; and
- viii) Land must already be in acceptable practices based on soil types and wildlife benefits or the participant must be willing to put the land in the acceptable practice at his own expense. If applicable, the landowner may use another federal and/or State cost share program to implement the

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contract, and enrolling this land as a permanent easement in State CREP, will receive a lump sum payment from the State. This land is not eligible for cost-share payment. (See Section 1515.40(d).)

c) Mechanisms of Payment

- 1) For executed contract supplements and easements, the county SWCD shall complete an invoice voucher and submit to IDNR for a lump sum bonus payment.
- 2) The cost-share payment will be made to the landowner after the practice has been approved by the appropriate NRCS or IDNR field staff and certified by FSA the county-SWCD-office. The county SWCD will submit an invoice voucher to IDNR for the cost-share payment on certified practices.
- 3) The SWCD is responsible for providing to surveyors all necessary information to conduct the appropriate survey (exclusionary or full boundary) for an enrollment. If proper information is not provided, the SWCD may not receive full reimbursement for costs. If written approval from IDNR is not obtained for 15 year or 35 year contract supplements, the SWCD will not be reimbursed for any survey costs. Attorney fees incurred for SWCD responsibilities, as described in Attachment B of the Contract Agreement between IDNR and the SWCD, are not eligible for reimbursement by the State. Detailed attorney billing statements must be submitted with vouchers.

(Source: Amended by emergency rulemaking at 25 Ill. Reg. effective May 22, 2001, for a maximum of 150 days)

Section 1515.60 Violation  
EMERGENCY

Participants who violate the terms of either the 15 year or 35 year contract supplements or the permanent easement must either restore the conservation practices in full according to the terms of the contract supplement or permanent easement at their own expense within a reasonable time frame (1 year or less); or refund the total of all money from the State lump sum payment, the State cost-share payment, and amount paid to the county SWCD for the administration of the contract supplement, and plus a 15 percent per annum penalty fee (15 percent of the total of all State payments to landowner and county SWCD times the number of years the contract supplement or permanent easement has been in effect).

(Source: Amended by emergency rulemaking at 25 Ill. Reg. effective May 22, 2001, for a maximum of 150 days)

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practices. (For example, if the landowner wants to include additional non-cropped land in trees along with a wetland restoration on eligible CREP land, he may enroll the non-cropped land in the permanent easement with the cropped acreage, but must pay any restoration costs on the non-cropped land.) A site visit by appropriate IDNR field staff may be required to determine the acceptability of the additional acreage (non-cropped ground or land in another CRP sign up) offered for permanent easement.

- 2) 15 Year Supplement  
The payment to a participant for a 15 year contract supplement will be a lump sum payment that will equal 50 percent of the payment for a voluntary, permanent easement (CRP maximum annual rental rate, exclusive of any federal incentive payments, times 15 years, times 30 percent).
- 3) 35 Year Supplement  
The payment to a participant for a 35 year contract supplement will be a lump sum payment that will equal 75 percent of the payment for a voluntary, permanent easement (CRP maximum annual rental rate, exclusive of any federal incentive payments, times 15 years, times 30 percent).

b) Cost-Share Payments

Participants who enter the State incentive program will also receive cost-share payments for the installation of CREP approved practices based on the following formulas:

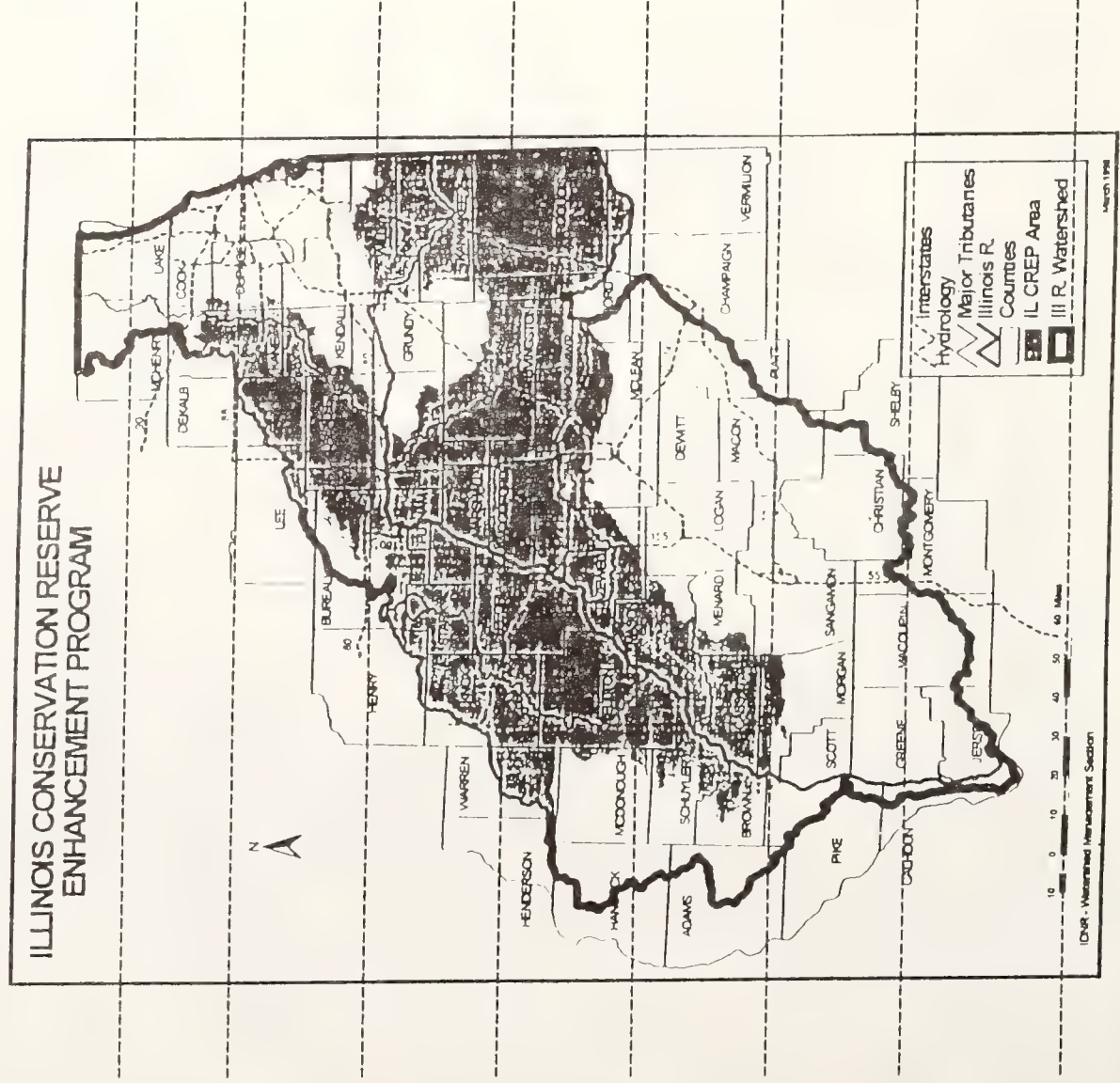
- 1) Participants who enter into a voluntary CREP permanent easement will receive reimbursement at a 50 percent cost-share rate based upon FSA guidelines for the installation of CREP approved practices from the State. The amount of reimbursement to a participant from all sources may not exceed 100 percent of the cost-share rate of the practice established by FSA.
- 2) Participants who enter into a 15 year contract supplement or 35 year supplement on lands defined as riparian areas, farmed wetlands, prior converted wetlands, or wetlands farmed under natural conditions will receive reimbursement at a 40 percent cost-share rate based upon FSA guidelines for the installation of CREP approved practices from the State. The amount of reimbursement to a participant from all sources may not exceed 100 percent of the cost-share rate of the practice established by FSA.
- 3) Participants who enter into a 15 year contract supplement or 35 year supplement on lands defined on the basis of erodibility (weighted average Erodibility Index, EI  $\geq$  12) will not receive any reimbursement from the State for cost-share for CREP practice implementation. Participants may receive reimbursement from other sources.
- 4) Participants purchasing land previously enrolled in a CRP



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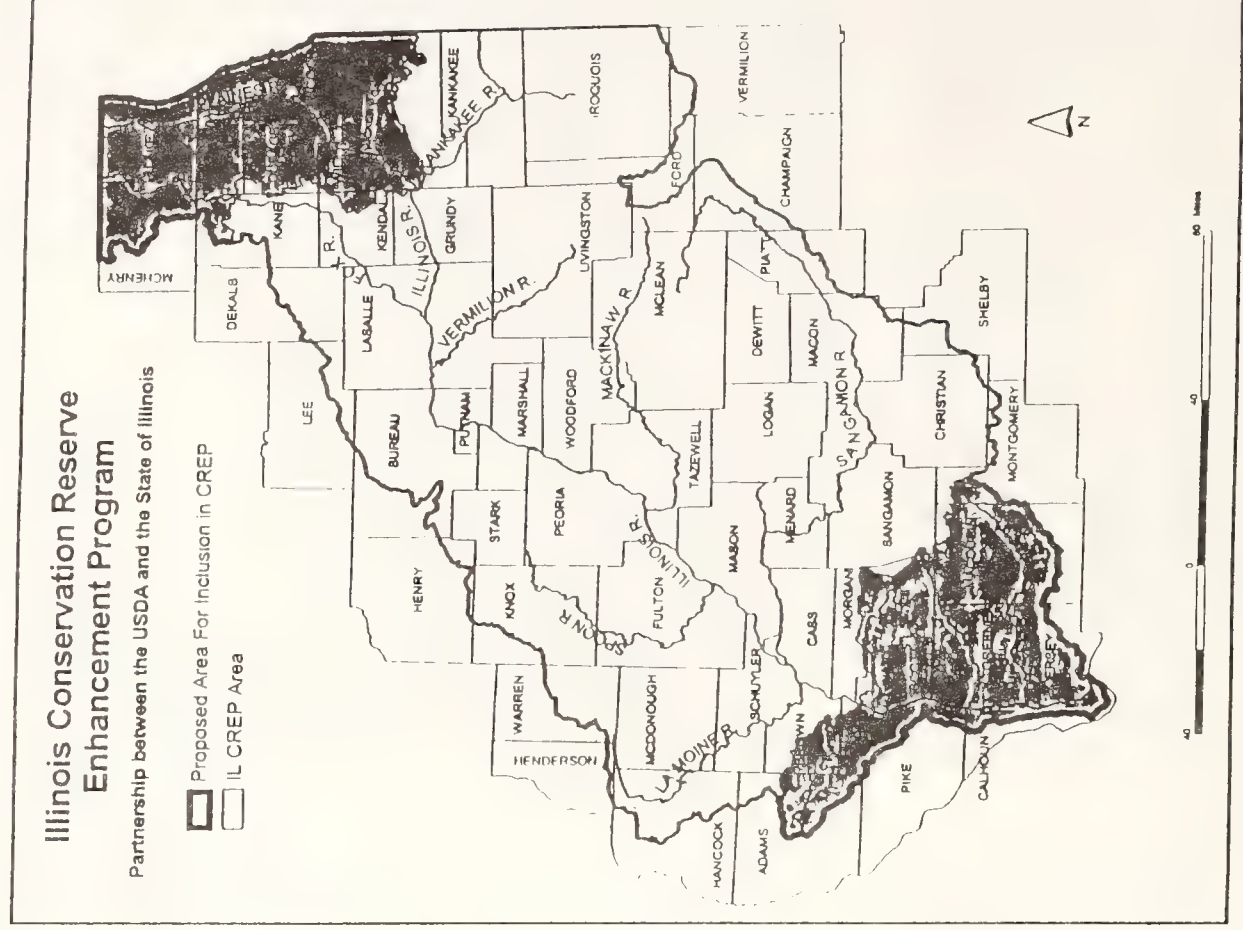
NOTICE OF EMERGENCY AMENDMENTS

1515.EXHIBIT A Map of Eligible Area in Illinois River Watershed  
EMERGENCY



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(Source: Amended by emergency rulemaking at 25 Ill. Reg. 7329-2, effective May 22, 2001, for a maximum of 150 days)

## DEPARTMENT OF AGRICULTURE

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1) Heading of the Part: Meat and Poultry Inspection Act

2) Code Citation: 8 Ill. Adm. Code 125

<u>Section Number:</u>	<u>Proposed Action:</u>
125.10	Amended
125.320	Amended
125.340	Amended
125.350	Amended
125.360	Amended

4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulemaking: The Meat and Poultry Inspection Act [225 ILCS 650]; the Federal Poultry Products Inspection Act (21 USCA 454); and 66 FR 22899

5) Statutory Authority: The Meat and Poultry Inspection Act [225 ILCS 650]

6) Effective Date: April 26, 2001

7) A Complete Description of the Subjects and Issues Involved: In order to maintain an "equal to" status with the federal poultry products inspection program as required by the federal Poultry Products Inspection Act and in accordance with Section 16 of the Meat and Poultry Inspection Act, the Department is adopting amendments to the federal poultry products inspection rules. The Food Safety and Inspection Service (FSIS) is amending the Poultry Products Inspection Regulations and the Voluntary Poultry Inspection Regulations to include ratites and squabs under the mandatory poultry products inspection regulations.

8) Does this rulemaking contain an automatic repeal date? No

9) Date Filed with the Index Department: April 26, 2001

10) A copy of the peremptory amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

11) This peremptory amendment is in compliance with Section 5-150 of the Illinois Administrative Procedure Act.

12) Are there any other proposed amendments pending on this Part: No

13) Statement of Statewide Policy Objectives: Peremptory amendment does not affect units of local government.

14) Information and questions regarding this peremptory amendment shall be directed to:



## DEPARTMENT OF AGRICULTURE

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Linda Rhodes  
Department of Agriculture  
State Fairgrounds, P.O. Box 19281  
Springfield IL 62794-9281  
Telephone: 217/785-5713  
Facsimile: 217/785-4505

The full text of the peremptory amendments begins on the next page:

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PEREMPTORY AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER I: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER c: MEAT AND POULTRY INSPECTION ACT

PART 125  
MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR  
POULTRY INSPECTION

Section	
125.10	Definitions
125.20	Incorporation by Reference of Federal Rules
125.30	Application for License; Approval
125.40	Official Number
125.50	Inspections; Suspension or Revocation of License
125.60	Administrative Hearings; Appeals (Repealed)
125.70	Assignment and Authority of Program Employees
125.80	Schedule of Operations; Overtime
125.90	Official Marks of Inspection, Devices and Certificates
125.100	Records and Reports
125.110	Exemptions
125.120	Disposal of Dead Animals and Poultry
125.130	Reportable Animal and Poultry Diseases
125.140	Detention; Seizure; Condemnation
125.141	Sanitation Standard Operating Procedures (SOP's)
125.142	Hazard Analysis and Critical Control Point (HACCP) Systems
125.143	Imported Products
125.144	Preparation and Processing Operations

## SUBPART B: MEAT INSPECTION

Section	
125.150	Livestock and Meat Products Entering Official Establishments
125.160	Equine and Equine Products
125.170	Facilities for Inspection
125.180	Sanitation (Repealed)
125.190	Ante-Mortem Inspection
125.200	Post-Mortem Inspection
125.210	Disposal of Diseased or Otherwise Adulterated Carcasses and Parts
125.220	Humane Slaughter of Animals
125.230	Handling and Disposal of Condemned or Other Inedible Products at Official Establishment
125.240	Rendering or Other Disposal of Carcasses and Parts Passed for Cooking
125.250	Marking Products and Their Containers
125.260	Labeling, Marking and Containers
125.270	Entry into Official Establishment; Reinspection and Preparation of Product

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125.280 Meat Definitions and Standards of Identity or Composition  
 125.290 Transportation  
 125.295 Imported Products (Repealed)  
 125.300 Special Services Relating to Meat and Other Products  
 125.305 Exotic Animal Inspection

## SUBPART C: POULTRY INSPECTION

Section  
 125.310 Application of Inspection  
 125.320 Facilities for Inspection  
 125.330 Sanitation (Repealed)  
 125.340 Operating Procedures  
 125.350 Ante-Mortem Inspection  
 125.360 Post-Mortem Inspection  
 125.370 Handling and Disposal of Condemned or Inedible Products at Official Establishments  
 125.380 Labeling and Containers  
 125.390 Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements  
 125.400 Definitions and Standards of Identity or Composition  
 125.410 Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by the Meat and Poultry Inspection Act [225 ILCS 650] and Section 5-625 of the Civil Administrative Code of Illinois [20 ILCS 5/5-625].

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; peremptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg. 18203, effective October 15, 1986; peremptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11

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Ill. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989; peremptory amendment at 13 Ill. Reg. 16838, effective October 11, 1989; peremptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990; peremptory amendment at 14 Ill. Reg. 4953, effective March 23, 1990; peremptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; peremptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; peremptory amendment at 14 Ill. Reg. 16064, effective May September 24, 1990; peremptory amendment at 14 Ill. Reg. 21060, effective May 29, 1991; peremptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; peremptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; peremptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; peremptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991; amended at 15 Ill. Reg. 8801, effective June 7, 1991; peremptory amendment at 15 Ill. Reg. 13976, effective September 20, 1991; peremptory amendment at 16 Ill. Reg. 1899, effective March 2, 1992; amended at 16 Ill. Reg. 8349, effective May 26, 1992; peremptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992; peremptory amendment at 16 Ill. Reg. 11963, effective July 22, 1992; peremptory amendment at 16 Ill. Reg. 12234, effective July 24, 1992; peremptory amendment at 16 Ill. Reg. 16337, effective October 19, 1992; peremptory amendment at 16 Ill. Reg. 17165, effective October 21, 1992; peremptory amendment at 17 Ill. Reg. 2063, effective February 12, 1993; peremptory amendment at 17 Ill. Reg. 15725, effective September 7, 1993; peremptory amendment at 17 Ill. Reg. 16238, effective September 8, 1993; peremptory amendment at 17 Ill. Reg. 18215, effective October 5, 1993; peremptory amendment at 18 Ill. Reg. 304, effective December 23, 1993; peremptory amendment at 18 Ill. Reg. 2164, effective January 24, 1994; amended at 18 Ill. Reg. 4622, effective March 14, 1994; peremptory amendment at 18 Ill. Reg. 6442, effective April 18, 1994; peremptory amendment at 18 Ill. Reg. 8493, effective May 27, 1994; amended at 18 Ill. Reg. 11489, effective July 7, 1994; peremptory amendment at 18 Ill. Reg. 12546, effective July 29, 1994; peremptory amendment at 18 Ill. Reg. 14475, effective September 7, 1994; amended at 18 Ill. Reg. 14924, effective September 26, 1994; peremptory amendment at 18 Ill. Reg. 15452, effective September 27, 1994; peremptory amendment at 19 Ill. Reg. 1342, effective January 27, 1995;



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peremptory amendment at 19 Ill. Reg. 4765, effective March 13, 1995; peremptory amendment at 19 Ill. Reg. 7067, effective May 8, 1995; peremptory amendment at 19 Ill. Reg. 14896, effective October 6, 1995; peremptory amendment at 19 Ill. Reg. 15766, effective November 10, 1995; peremptory amendment at 19 Ill. Reg. 16866, effective December 22, 1995; peremptory amendment at 20 Ill. Reg. 5091, effective March 19, 1996; peremptory amendment at 20 Ill. Reg. 10403, effective July 17, 1996; amended at 20 Ill. Reg. 11928, effective September 1, 1996; peremptory amendment at 20 Ill. Reg. 12634, effective September 5, 1996; peremptory amendment at 20 Ill. Reg. 15371, effective November 13, 1996; peremptory amendment at 21 Ill. Reg. 1221, effective January 14, 1997; peremptory amendment at 21 Ill. Reg. 1719, effective January 28, 1997; peremptory amendment at 21 Ill. Reg. 6609, effective May 20, 1997; amended at 21 Ill. Reg. 11494, effective August 1, 1997; peremptory amendment at 21 Ill. Reg. 11788, effective August 8, 1997; peremptory amendment at 21 Ill. Reg. 12686, effective August 28, 1997; peremptory amendment at 21 Ill. Reg. 14575, effective October 22, 1997; peremptory amendment at 22 Ill. Reg. 3602, effective February 2, 1998; peremptory amendment at 22 Ill. Reg. 5740, effective March 5, 1998; peremptory amendment at 22 Ill. Reg. 9384, effective May 15, 1998; peremptory amendment at 22 Ill. Reg. 20645, effective November 16, 1998; amended at 23 Ill. Reg. 450, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 3851, effective March 11, 1999; peremptory amendment at 23 Ill. Reg. 10880, effective August 19, 1999; amended at 24 Ill. Reg. 3933, effective February 22, 2000; peremptory amendment at 24 Ill. Reg. 5699, effective March 14, 2000; peremptory amendment at 24 Ill. Reg. 6734, effective April 14, 2000; amended at 24 Ill. Reg. 7197, effective April 27, 2000; peremptory amendment at 24 Ill. Reg. 14074, effective August 30, 2000; peremptory amendment at 24 Ill. Reg. 14451, effective September 15, 2000; peremptory amendment at 25 Ill. Reg. 7341, effective April 26, 2001.

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR  
POULTRY INSPECTION

## Section 125.10 Definitions

- a) Terms shall be as defined in 9 CFR 301, 303.1(d)(2), (ii), (iii) (a), (b), (d), (e) and (f), (iv), (v) and (vi), 381.1, 381.10(d)(2), (ii), (iii)(a), (b), (d), (iv), (v) and (vi), and 352.1(b) through (t) and 362.1 (1997; 64 FR 732, effective March 8, 1999; 64 FR 56400 and 65 FR 2283, effective January 25, 2000; 66 FR 22899, effective April 26, 2001) unless they are otherwise defined in the Meat and Poultry Inspection Act [225 ILCS 650] or in this Section as follows:

"Act" means the Meat and Poultry Inspection Act [225 ILCS 650].

"Approved veterinarian" means any person who has graduated from a veterinary college that is recognized by the American Veterinary Medical Association.

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"Birds" shall mean poultry as defined in Section 2.7 of the Act.

"Condition" means any condition, including, but not being limited to, the state of preservation, cleanliness, or soundness of any product made from rabbits or the processing, handling, or packaging which may affect the wholesomeness of such product.

"Livestock" means cattle, sheep, swine, buffalo, catalo, domestic deer, domestic elk, domestic antelope, domestic reindeer, water buffalo, and goats.

"Members of the household" means those persons who occupy a single family unit.

b) With regard to the definitions of consumer and similar type establishment, the Director has not designated any other type of establishment or institution under these terms other than those specifically stated in the incorporated language.

c) With regard to the definitions of retail store, only those sections which are incorporated by reference as stated in Section 125.10(a) shall be included in the definition. References within the incorporated language to the section of the federal rules pertaining to operations of types traditionally and usually conducted at retail stores and restaurants refer to the operations defined in Section 5(A) of the Act. No product exempted from inspection in accordance with Section 5 of the Act shall be prepared in any retail store, restaurant or similar retail-type establishment.

d) References in the incorporated language to 9 CFR 312 and 313 shall be interpreted as references to Sections 125.90 and 125.220 respectively. References to the Humane Methods and Slaughter Act of 1978 shall mean as set forth in Section 125.220.

(Source: Amended by peremptory rulemaking at 25 Ill. Reg. effective April 26, 2001)

## SUBPART B: MEAT INSPECTION

## Section 125.320 Facilities for Inspection

- a) The Department incorporates by reference 9 CFR 381.36 (1997; 64 FR 56400, effective January 25, 2000; 66 FR 22899, effective April 26, 2001).
- b) The Department shall approve the construction of an establishment or the remodeling of an establishment if such establishment or the remodeling is in compliance with 9 CFR 416. The inspector's office shall be approved if it is in compliance with the requirements for an inspector's office as set forth in 9 CFR 416 (9 CFR 416 is incorporated in Section 125.141). The office will be considered as

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being in a convenient location if it is on the premises of the official establishment or located in a building adjacent to the official establishment. Small plants (as identified in 9 CFR 381.36) which do slaughtering shall furnish an inspector's office either at the establishment or in a building adjacent to the official establishment.

(Source: Amended by peremptory rulemaking at 25 Ill. Reg. 7341, effective April 26, 2001)

## Section 125.340 Operating Procedures

- a) The Department incorporates by reference 9 CFR 381.65 through 381.67 381.66 (1997); 62 FR 5139, effective May 5, 1997; 63 FR 48958, effective November 10, 1998; 66 FR 22899, effective April 26, 2001).
  - b) The bar-cut method of evisceration shall not be used.
  - c) Cut-up poultry may be processed from unchilled eviscerated poultry only in air conditioned rooms (50 degrees F. or less).
  - d) The meltage of ice in the chilling system shall be counted toward the minimum fresh water intake requirements provided an accurate measurement of the amount of melted ice can be obtained.
  - e) Reference to the Poultry Inspector's Handbook shall mean the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.
  - f) The Department shall approve the shipment of poultry in operational type containers, such as chill tanks or lugs, from one official establishment to another official establishment for further processing provided the means of conveyance is sealed and the poultry can reach its destination in accordance with the general chilling requirements as stated in this Section (see 9 CFR 381.66(b)).
  - g) Ready-to-cook poultry shall be permitted to be moved from an official establishment prior to freezing in accordance with the specific requirements as stated in 9 CFR 381.66(f)(3).
  - h) Compounds used in immersion or spray freezing procedures shall be those that are listed in the "List of Proprietary Substances or Nonfood Compounds" as adopted by the Department in Section 125.20.
- (Source: Amended by peremptory rulemaking at 25 Ill. Reg. 7341, effective April 26, 2001)

## Section 125.350 Ante-Mortem Inspection

- a) The Department incorporates by reference 9 CFR 381: Subpart J (1997; 66 FR 22899, effective April 26, 2001).
- b) Procedures for ante-mortem and post-mortem inspections and any correlation between the two inspections shall be as set forth in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.

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- c) Incineration of poultry suspected of having been treated with or exposed to any substance which imported a biological residue shall be in accordance with Section 125.370. The Department shall permit the slaughter of such poultry for the purpose of collecting tissues for analysis of the residue upon the request of the owner of the poultry or at the request of the official establishment.
- d) The Director shall approve the slaughter of poultry which was used in research in accordance with the specific provisions as stated in 9 CFR 381.75, except for rabbits as stated in Section 125.360.

(Source: Amended by peremptory rulemaking at 25 Ill. Reg. 7341, effective April 26, 2001)

## Section 125.360 Post-Mortem Inspection; Disposition of Carcasses and Parts

- a) The Department incorporates by reference 9 CFR 381: Subpart K (1997; 62 FR 5139, effective May 5, 1997; 62 FR 26211, effective June 12, 1997; 62 FR 61007, effective January 13, 1998; 65 FR 34381, effective August 28, 2000; 66 FR 22899, effective April 26, 2001). The E. coli process control testing regulations set forth in 9 CFR 381.94(a) will be applicable on October 1, 1997, and the Salmonella pathogen reduction performance standards regulations set forth in 9 CFR 381.94(b) will be applicable simultaneously with applicability dates for implementation of HACCP in Section 125.142.
- b) Carcasses of rabbits affected with or showing lesions of any of the following named diseases or conditions shall be condemned: Tularemia, anthrax, hemorrhagic septicemia, pyemia, septicemia, leukemia, acute enteritis, peritonitis, sarcomatosis, metritis, necrobacillosis (Smorl's Disease), tuberculosis, emaciation, streptobacillary pseudotuberculosis, and advanced stages of snuffles. Rabbits from pathological laboratories shall be condemned.
- c) Carcasses of rabbits showing any disease, such as generalized melanosis and pseudoleukemia which systemically affect the rabbit, shall be condemned.
- d) Any organ or part of a rabbit carcass which is badly bruised or which is affected by an abscess or a suppurating sore, shall be condemned. Parts or carcasses of rabbits which are contaminated by pus shall be condemned.
- e) Carcasses of rabbits contaminated by volatile oils, paints, poisons, gases or other substances which affect the wholesomeness of the carcass shall be condemned.
- f) All carcasses of rabbits so infected that consumption of the meat or meat food products thereof may give rise to meat poisoning shall be condemned. This includes all carcasses showing signs of any of the following diseases: Acute inflammation of the lungs, pleura, pericardium, peritoneum or meninges, septicemia or pyemia (whether traumatic, or without evident cause), gangrenous or severe hemorrhagic enteritis or gastritis, polyarthritis and acute nephritis.



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Immediately after the slaughter of any rabbit so infected, the infected premises and implements used shall be sanitized. The part or parts of any carcass coming into contact with the carcass or any part of the carcass of any rabbit listed in this paragraph other than those affected with acute inflammation of the lungs, pleura, pericardium, peritoneum or meninges, shall be condemned.

g) Carcasses of rabbits showing any degree of icterus with a parenchymatous degeneration of organs, the result of infection or intoxication, and those which, as a result of a pathological condition show an intense yellow or greenish-yellow discoloration without evidence of infection or intoxication shall be condemned.

h) Carcasses of rabbits affected with mange or scab in advanced stages or showing emaciation or extension of the inflammation to the flesh shall be condemned. When the diseased condition is localized, the carcass shall be passed for food purposes after removal and condemnation of the affected parts.

i) In the disposal of carcasses and parts of carcasses of rabbits showing evidence of infestation with parasites not transmissible to man, the following general rules shall govern: If the lesions are localized in such manner and are of such character that the parasites and the lesions caused by them may be radically removed, the non-affected portion of the carcass, or part of the carcass, shall be certified for food purposes after the removal and condemnation of the affected portions. Where a part of a carcass shows numerous lesions caused by parasites, or the character of the infestation is such that complete extirpation of the parasites and lesions is difficult and uncertainly accomplished, or if the parasitic infestation or invasion renders the organ or part in any way unfit for food, the affected organ or part shall be condemned. Where parasites are found to be distributed in a carcass in such a manner or to be of such a character that their removal and the removal of the lesions caused by them are impracticable, no part of the carcass shall be certified as capable for use as human food and the entire carcass shall be condemned. Carcasses of rabbits infested with a hydatid cyst or cysts (Echinococcus grandulosus), transmissible to dogs and from dogs to man, shall in all cases be condemned regardless of the degree of infestation.

j) Carcasses of rabbits showing such degree of emaciation or anemic condition as would render the meat unwholesome, and carcasses which show a slimy degeneration of the fat or a serious infiltration of the muscles shall be condemned.

k) Carcasses of poultry, the viscera and any part removed from the carcass shall be kept together and identified by a lot number until the inspector performs a post-mortem inspection.

(Source: Amended by peremptory rulemaking at 25 Ill. Reg. 7343-2, effective April 26, 2001)

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## NOTICE OF PUBLICATION ERROR

1) Heading of the Part: Alternate Fuels Program

2) Code Citation: 35 Ill. Adm. Code 275

3) Register citation of adopted rulemaking: June 1, 2001, 25 Ill. Reg. 6877

4) Explanation: The adopted amendments for the above Environmental Protection Agency rulemaking were published in the June 1, 2001 Illinois Register with an incorrect effective date of January 20, 2001 printed on the Notice Page. The correct effective date for this rulemaking is May 18, 2001.

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TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATE  
PART 1001  
PROCEDURES AND STANDARDS

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SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS  
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- 1) Heading of the Part: Procedures and Standards
- 2) Code Citation: 92 Ill. Adm. Code 1001
- 3) Section Number: 1001.440
- 4) Date Proposal published in Illinois Register: July 14, 2000, 24 Ill. Reg. 10061
- 5) Date Adoption published in Illinois Register: December 29, 2000, 24 Ill. Reg. 19257
- 6) Date Request for Expedited Correction published in Illinois Register: April 20, 2001, 25 Ill. Reg. 5670
- 7) Adoption Effective Date: December 15, 2000
- 8) Correction Effective Date: December 15, 2000
- 9) Reason for Expedited Correction: The word "no" was inadvertently excluded in the final version of the rule, changing the intended meaning. The proper statement originally proposed by SOS is "Petitioners classified at High Risk who have driven successfully on a restricted driving permit for at least 3 years after submitting an original evaluation are not required to provide an updated evaluation if the current RDP is expired for no more than 30 days at the time the petitioner files for an extension of the RDP or for another hearing."

The full text of the corrected rule begins on the following page:



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SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS,  
REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF  
DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE

Section  
1001.400 Applicability  
1001.410 Definitions  
1001.420 General Provisions Relating to the Issuance of Restricted Driving Permits  
1001.430 General Provisions for Reinstatement of Driving Privileges after Revocation  
1001.440 Provisions for Alcohol and Drug Related Revocations, Suspensions, and Cancellations  
1001.441 Breath Alcohol Ignition Interlock Device Pilot Program  
1001.442 Manufacturer's Responsibilities; Approval for Analyzing Alcohol Content of Breath; DPH Inspections; Disqualification of a Manufacturer; Designation and Assignment of Regions  
1001.443 Installers' Responsibilities  
1001.450 New Hearings  
1001.460 Requests for Modification of Revocations and Suspensions  
1001.470 Renewal, Correction and Cancellation of RDP's  
1001.480 Unsatisfied Judgment Suspensions  
1001.485 Reinstatement Application Based Upon Issuance of Drivers License in a State Which is a Member of the Driver License Compact  
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1001.500 Applicability  
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SUBPART F: ZERO TOLERANCE SUSPENSION OF DRIVING PRIVILEGES; PERSONS  
UNDER THE AGE OF 21 YEARS; IMPLIED CONSENT HEARINGS; RESTRICTED  
DRIVING PERMITS

1001.600 Applicability  
1001.610 Definitions  
1001.620 Burden of Proof  
1001.630 Implied Consent Hearings; Religious Exception  
1001.640 Implied Consent Hearings; Medical Exception  
1001.650 Rebuttable Presumption  
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1001.670 Petition for Restricted Driving Permits  
1001.680 Form and Location of Hearings

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1001.690 Invalidity  
SUBPART G: MOTOR VEHICLE FRANCHISE ACT

1001.700 Applicability  
1001.710 Definitions  
1001.720 Organization of Motor Vehicle Review Board  
1001.730 Motor Vehicle Review Board Meetings  
1001.740 Board Fees  
1001.750 Notice of Protest  
1001.760 Hearing Procedures  
1001.770 Conduct of Protest Hearing  
1001.780 Mandatory Settlement Conference  
1001.785 Technical Issues  
1001.790 Hearing Expenses; Attorney's Fees  
1001.795 Invalidity

APPENDIX A BAID Regions and Minimum Installation/Service Center Site  
Location Guidelines

AUTHORITY: Subpart A implementing Sections 2-113, 2-118, 6-108, 6-205, and 6-206 and authorized by Sections 2-103 and 2-104 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 2-113, 2-118, 6-108, 6-205 and 6-206]. Subpart B implementing Chapter 7 and authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, and 2-114, and Ch. 7 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 2-107, 2-108, 2-113, 2-114, 2-107, 2-108, 2-113, 2-114 and Ch. 7]. Subpart C implementing Sections 6-205(c) and 6-206(c)3 and authorized by Sections 2-103 and 2-104 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 6-205(c) and 6-206(c)3]. Subpart D authorizing Sections 2-104 and 11-501 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code [625 ILCS 5/2-104, 6-103, 6-205(c), 6-206(c)3, 6-208 and 11-501]. Subpart E implementing Sections 2-113, 2-118, 2-123, 6-103, 6-201, 6-906, and 6-908 and authorized by Sections 2-103, 2-104, 6-906, and 6-909 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 2-113, 2-118, 2-123, 6-103, 6-201, 6-906, and 6-908 and 6-909]. Subpart F implementing Sections 2-123, 6-103, 6-201, 6-906, 6-908 and 6-909]. Subpart F implementing Sections 2-113, 2-118, 6-208.2, 11-501.1, and 11-501.8 and authorized by Sections 2-103, 2-104, and 11-501.8 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 2-113, 2-118, 6-208.2, 11-501.1 and 11-501.8]. Subpart G implementing and authorized by the Motor Vehicle Franchise Act [815 ILCS 710].

SOURCE: Adopted and codified at 7 Ill. Reg. 7501, effective June 17, 1983; amended at 8 Ill. Reg. 4220, effective April 1, 1984; emergency amendment at 9 Ill. Reg. 17030, effective October 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4558, effective March 18, 1986; amended at 11 Ill. Reg. 17844, effective October 15, 1987; amended at 13 Ill. Reg. 15803, effective October 1, 1989; amended at 14 Ill. Reg. 2601, effective February 15, 1990; amended at 14 Ill. Reg. 16041, effective October 1, 1990; emergency amendment at 16 Ill. Reg. 19926, effective December 8, 1992, for a maximum of 150 days; emergency



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amendment at 17 Ill. Reg. 2047, effective January 27, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6274, effective May 1, 1993; amended at 17 Ill. Reg. 8528, effective June 1, 1993; emergency amendment at 18 Ill. Reg. 7916, effective May 10, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 15127, effective September 21, 1994; emergency amendment at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 6667, effective May 1, 1995; emergency amendment at 20 Ill. Reg. 1626, effective January 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 8328, effective June 12, 1996; emergency amendment at 20 Ill. Reg. 9355, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 15773, effective November 28, 1996; amended at 23 Ill. Reg. 692, effective January 15, 1999; amended at 24 Ill. Reg. 19257, effective December 15, 2000; expedited correction at 25 Ill. Reg. 1352 --, effective December 15, 2000.

SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS, REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF DRIVING PRIVILEGES

BY THE OFFICE OF THE SECRETARY OF STATE

**Section 1001.440 Provisions for Alcohol and Drug Related Revocations, Suspensions, and Cancellations**

a) Except as provided in subsection (a)(1), in any application for reinstatement, an RDP, or the termination of an order of cancellation, all petitioners must submit an alcohol and drug evaluation and, where required, evidence of successful completion of an alcohol and drug-related driver remedial course and/or evidence of successful completion of treatment or proof of adequate rehabilitative progress.

1) An alcohol and drug evaluation submitted by a resident of Illinois must have been conducted by an individual or an agency licensed by OASA. An alcohol or drug-related remedial course completed by an Illinois resident must have been provided by an individual or agency licensed by OASA. (See 77 Ill. Adm. Code 2060.201.) Exceptions to these requirements will be allowed in the cases listed below. In such case, the evaluation and remedial course must be provided by an individual or agency accredited by the state in which the individual or agency operates:

- A) if the petitioner is currently and has been temporarily residing outside the State of Illinois (except as provided in Section 1001.100(a)(2));
- B) if the petitioner received treatment for alcohol or drug abuse or dependence from a treatment program located outside the State of Illinois, which has been appropriately accredited by the state in which it operates.
- 2) The choice of these programs is within the discretion of the petitioner. The evidence submitted must be typewritten, although the evaluator may testify at any hearing.
- 3) The Department may provide petitioners who inquire with a list of

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programs, from which the petitioner may choose an evaluator and remedial programs, but the petitioner is not limited to the use of persons or programs on this list.

- 4) The alcohol and drug evaluation (uniform report), as defined in Section 1001.410, must conform to the standards for an evaluation set by OASA. (See 77 Ill. Adm. Code 2060.503.) The evaluation must be signed and dated by both petitioner and evaluator.
- 5) The alcohol and drug-related driver remedial program must, at a minimum, conform to the standards for alcohol/drug remedial education courses set by OASA. (See 77 Ill. Adm. Code 2060.505.)
- 6) The alcohol and drug evaluation must be current, which is defined as having been completed within 6 months prior to the date of the hearing. This current evaluation, whether a uniform report or an updated evaluation, must conform to all current OASA standards as referred to in this Section, where applicable, and/or to all current Secretary of State requirements set forth in this Subpart D.

A) An updated evaluation shall be conducted only by means of an in-person interview and only by the same program which conducted the original evaluation. Exceptions to the latter requirement will be allowed under the following circumstances:

- 1) If the petitioner's case file or copies of all case file material are transferred to another program which prepares the update. The transfer will be considered acceptable only if the original evaluating program can no longer provide evaluation services for reasons such as a suspended or revoked license or voluntarily terminating evaluation business operations. If an update cannot be obtained by reviewing the original case file information, another original evaluation must be submitted.
- 2) If the petitioner completes treatment recommended as a result of the most recent alcohol and drug evaluation, the program providing the treatment may prepare any subsequent updated evaluation from its own case file information without obtaining the information from the evaluating program that made the treatment recommendation.
- B) An updated evaluation shall contain, at a minimum, the following: a description of alcohol/drug use and/or abuse covering the time since the last evaluation or update; any impairment of significant life areas since the last evaluation or update; the evaluator's previous and current alcohol/drug-use classification of the petitioner; any current recommendations and the rationale for such recommendations; and an indication of whether the petitioner has completed all prior recommendations. The updated



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evaluation must be corroborated by an interview with a family member or significant other. The information obtained must be summarized and the evaluator should indicate whether it corroborates the data provided by the petitioner. The updated evaluation must be typewritten, on a form provided by the Department, and verified by the evaluator. (See subsection (a)(1) of this Section.)

1) Any updated evaluation that reclassifies a petitioner to or within a Moderate, Significant or High Risk classification shall include a referral to a treatment provider for the purpose of determining the need, if any, for additional rehabilitative activity. Any waiver of additional rehabilitative activity by the treatment provider must be in writing and include the rationale for the waiver. Any recommendation for additional rehabilitative activity must be completed with before relief will be granted.

2) A petitioner may not submit an updated evaluation if the uniform report evaluation being updated does not discuss the most recent DUI disposition. In such case the petitioner must submit a uniform report evaluation.

C) An out-of-state alcohol and drug evaluation shall contain, at a minimum, the following: a complete alcohol and drug use history; a history of any alcohol and drug-related offenses; a current alcohol/drug use classification of the petitioner and the rationale for that classification; any recommendations and the rationale for such recommendations. The evaluation must be corroborated by an interview with a significant other and by the administration of an objective test. The information obtained must be summarized and the evaluator should indicate whether it corroborates the data provided by the petitioner. The evaluation must be verified by the evaluator. The individual or agency that completes the evaluation must be properly accredited or licensed in the state in which the individual or agency operates.

D) An investigative alcohol and drug evaluation shall contain, at a minimum, the following: a complete alcohol and drug use history; a history of alcohol and drug-related driving and criminal offenses; a clinical impression of what the evaluation data indicates and the rationale for that conclusion; any recommendations and the rationale for such recommendations. The evaluation must be corroborated by an interview with a significant other and by the administration of an objective test. The information must be summarized and the evaluator should indicate whether it corroborates the data provided by the petitioner. The evaluation must be typewritten, on a form provided by the Department, and

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verified by the evaluator. The program that completes the evaluation must meet the same standards as programs qualified to prepare uniform report evaluations. (See subsection (a)(1).)

E) Petitioners classified at High Risk who have driven successfully on a restricted driving permit for at least 3 years after submitting an original evaluation are not required to provide an updated evaluation if:

- i) the petitioner files for an extension of the RDP or for another hearing during the term of the current RDP; or
- ii) the current RDP is expired for no more than 30 days at the time the petitioner files for an extension of the RDP or for another hearing.

All other documentation required by this Subpart D must be submitted.

7) Any alcohol or drug related remedial course required by this Part must be completed on a date after the most recent DUI disposition arrest date.

b) Before any driving relief will be granted, the petitioner must prove by clear and convincing evidence: that he/she does not have a current problem with alcohol or other drugs; that he/she is a low or minimal risk to repeat his/her past abusive behaviors and the operation of a motor vehicle while under the influence of alcohol or other drugs; and that he/she has complied with all other standards as specified in this Subpart D. If the evidence establishes that the petitioner has had an alcohol/drug problem, the petitioner must also prove that the problem has been resolved.

1) Petitioners whose use of alcohol/drugs has been classified under the Section as Minimal Risk must document successful completion of a 10 hour alcohol/drug remedial education course by submission of a document which reflects the completion of the requirements contained in 77 Ill. Adm. Code 2060.505.

2) Petitioners whose use of alcohol/drugs has been classified under this Section as Moderate or Significant Risk must document successful completion of an alcohol/drug remedial course as specified in subsection (b)(1) and the treatment recommended by the evaluator or other qualified professional recommended on referral by the evaluator. The treatment must be provided by an individual or agency licensed to provide such treatment by OASA or the Department of Public Health, or an individual therapist who is licensed as a private practitioner by the Illinois Department of Professional Regulation, or an out-of-state individual therapist or agency properly licensed by the state in which he/she operates.

3) Petitioners classified under this Section as High Risk Dependent must document abstinence as required in subsection (e); the completion of treatment provided by a facility or facilitator



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licensed by OASA or the Illinois Department of Public Health, an individual therapist who is licensed as a private practitioner by the Illinois Department of Professional Regulation, or an out-of-state individual therapist or agency properly licensed by the state in which he/she operates; the establishment of an ongoing support/recovery program; and compliance with any additional recommendations of his/her evaluator or treatment provider.

4) Petitioners classified under this Section as High Risk Nondependent must document: non-problematic use as provided in subsection (f); treatment provided by a facility or facilitator licensed by OASA or the Illinois Department of Public Health, an individual therapist who is licensed as a private practitioner by the Illinois Department of Professional Regulation, or an out-of-state individual therapist or agency properly licensed by the state in which he/she operates; compliance with any additional recommendations of his/her evaluator or treatment provider, including abstinence; and a detailed explanation by the treatment provider as to why dependency was ruled out.

5) Petitioners who obtain an investigative alcohol/drug evaluation must document the completion of any recommended treatment provided by a facility or facilitator licensed by OASA or the Illinois Department of Public Health, an individual therapist who is licensed as a private practitioner by the Illinois Department of Professional Regulation, or an out-of-state individual therapist or agency properly licensed by the state in which he/she operates. If found to be chemically dependent, then the petitioner must prove abstinence as required in subsection (e) and the establishment of an ongoing support/recovery program, and compliance with any additional recommendations of his/her evaluator or treatment provider.

6) In the event that a treatment provider does not require an individual classified Moderate, Significant or High Risk to complete at least the minimum amount and type of intervention or treatment specified by OASA, the treatment provider must supply the Department with a detailed explanation of the rationale for that decision.

c) The presence of more than one DUI disposition on a petitioner's abstract shall create a rebuttable presumption that the petitioner suffers from a current alcohol/drug problem and should, therefore, be classified at least Significant Risk.

d) Evidence which shall be considered in determining whether the petitioner has met his/her burden of proof and has overcome the presumption of a current alcohol/drug problem includes, but is not limited to, the following, where applicable:

- 1) The factors enumerated in Section 1001.430(c);
- 2) The similarity of circumstances between alcohol or drug-related arrests;

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- 3) Any property damage or personal injury caused by the petitioner while driving under the influence;
- 4) Changes in life style and alcohol/drug use patterns following alcohol/drug-related arrest, and the reasons for the change;
- 5) The chronological relationship of alcohol/drug-related arrests;
- 6) Length of alcohol/drug abuse pattern;
- 7) Degree of self-acceptance of alcohol/drug problem;
- 8) Degree of involvement in or successful completion of prior treatment/intervention recommendations following alcohol/drug related arrests and in a support/recovery program;
- 9) Prior relapses from attempted abstinence;
- 10) Identification, treatment and resolution of the cause of the high risk behavior of any petitioner classified High Risk Nondependent;
- 11) The problems, pressures and/or external forces alleged to have precipitated the petitioner's abuse of alcohol or other drugs on the occasion of each alcohol/drug-related arrest, and the present status of the same, particularly whether they have been satisfactorily resolved;
- 12) The petitioner's explanation for his/her multiple arrests and/or convictions for offenses involving alcohol/drugs, particularly for allowing the second and subsequent arrests/convictions to occur;
- 13) In out-of-state petitions the evaluator's rationale for classifying a petitioner with multiple DUI dispositions as a Minimal or Moderate Risk. In these cases it is particularly important that the evaluator's classification be based on complete and accurate information;
- 14) The petitioner's criminal history, particularly drug offenses or offenses that in any way involved alcohol/drugs;
- 15) The petitioner's chemical test results of the petitioner's blood, breath or urine from all previous arrests or all previous alcohol/drug-related offenses (not just traffic offenses) in addition to the chemical test results of the most recent arrest;
- 16) The extent to which, in terms of completeness and thoroughness, a petitioner and his/her service providers have addressed every issue raised by the hearing officers in previous hearings;
- 17) It is particularly important that the evaluator's classification be based on complete, accurate and consistent information, especially all of the petitioner's DUI arrests and BAC test results. The probative value of evaluations which deviate from this standard will be diminished. The degree to which their probative value will be diminished will depend upon the degree to which the evaluation deviates from this standard and the standards imposed by OASA.

e) Petitioners classified as High Risk Dependent, or any other petitioner with a recommendation of abstinence by an OASA licensed evaluator or treatment provider, must have a minimum of 12 consecutive



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months of documented abstinence. Documentation of abstinence must be received from at least 3 independent sources. The sources should not be fellow members of a support group unless those members have regular and frequent contact with the petitioner outside the group meetings. The hearing officer shall determine the weight to be accorded the documentation, taking into account the credibility of the source and the totality of the evidence adduced at the hearing. Letters or witness testimony establishing abstinence should contain, at a minimum, the following:

- 1) The person's relationship to petitioner (friend, family member, fellow employee, etc.).
- 2) How long the person has known the petitioner.
- 3) How often the person sees the petitioner (daily, weekly, monthly, etc.).
- 4) How long the person knows the petitioner has abstained.
- 5) Each letter must be dated and signed by its authors. All letters must be submitted in their original form and should be dated no more than 45 days prior to the hearing date. Telephone facsimiles and photocopies of original letters will be admitted into evidence pending the submission of the original within a reasonable number of days as determined by the presiding hearing officer.

Waivers of the rule requiring 12 months of abstinence are discretionary when considering an RDP but shall not be granted unless the petitioner proves at least 6 months continuous abstinence at the time of the hearing.

- f) Petitioners classified as High Risk Nondependent must demonstrate at least 12 consecutive months of non-problematic alcohol use, or abstinence, and abstinence from the use of illegal drugs. This evidence must be submitted from at least 3 independent sources and generally comply with the standards set forth in subsection (e). Waivers are discretionary when considering an RDP, but shall not be granted unless the petitioner demonstrates at least 6 months of non-problematic alcohol use, or abstinence, and abstinence from the use of illegal drugs.
- g) If the petitioner has been attending a support/recovery program, the petitioner must present at least 3 dated and signed letters or witness testimony from fellow support/recovery program members documenting at a minimum the following:
  - 1) How long the person has known the petitioner.
  - 2) How long the petitioner has attended the program.
  - 3) How often the petitioner attends the program.
- h) A petitioner's participation in internet Alcoholics Anonymous, Narcotics Anonymous or other support/recovery program "chat rooms" or any other support/recovery program services available over the internet is not an acceptable substitute for the regular attendance of meetings in person. However, such participation will be considered as probative of the extent of the petitioner's involvement in a

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support/recovery program; i.e., as a supplement to the regular attendance of meetings in person.

- i) If the petitioner's support/recovery program does not involve a structured, organized, recognized program such as A.A. or N.A., the petitioner is required to identify what that program is and explain how it works and keeps petitioner abstinent. The petitioner is required to present either witness testimony or written verification of the program from at least three independent sources involved in the program. If the verification is in the form of letters, those letters should be signed and dated. All such evidence must contain, at a minimum, the following:

- 1) The person's relationship to the petitioner (friend, family member, fellow employee, etc.).
- 2) How long the person has known the petitioner.
- 3) How often the person sees the petitioner (daily, weekly, monthly, etc.).
- 4) How the person is involved in the petitioner's recovery program and what role the person plays in helping the petitioner abstain from alcohol/drugs.
- 5) What changes the person has seen in the petitioner since petitioner's abstinence.

- j) If the petitioner has a support/recovery program sponsor, one letter should be obtained from his/her sponsor documenting the data in subsection (g).

- k) In cases where a petitioner seeks a restricted driving permit to allow him/her to drive to support/recovery program meetings, he/she must provide specific information identifying, at a minimum, the following:

- 1) The locations of the meetings he/she wishes to attend;
  - 2) The days of the week when meetings are held at these locations;
  - 3) The hours of the day when these meetings are held.
- 1) If the petitioner has undergone early intervention (Moderate Risk classification), he/she must provide a narrative summary which includes, at a minimum, the following:

- 1) The name, address, and telephone number of the licensed service provider;
  - 2) The dates the petitioner began and completed early interventions, as well as the number of days or hours he/she was involved in the interventions process;
  - 3) A summary discussion of the intervention provided and its outcome, specifically, those issues that were addressed or explored and the provider's perception of what the petitioner gained from the experience and his/her ability to avoid future development of alcohol problems;
  - 4) The rationale for any modification in the early intervention requirements specified by OASA;
  - 5) The dated signature of the professional staff person providing the early intervention information.
- m) If the petitioner has had alcohol or drug related treatment, he/she



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must provide the following information:

- 1) A narrative summary which includes, at a minimum:
  - A) The name, address, and telephone number of treatment center.
  - B) The date the petitioner entered treatment and the date the petitioner was discharged from treatment; the number of days or hours the petitioner was involved in treatment; the admitting and discharge diagnosis.
  - C) The type of treatment received (e.g., outpatient, intensive outpatient, or inpatient treatment; individual or group therapy).
  - D) A clinical impression or prognosis of either a Moderate or Significant Risk petitioner's ability to maintain a non-problematic pattern, or a High Risk petitioner's ability to maintain a stable recovery where applicable. Specifically, the treatment provider's perception of what the petitioner gained from the treatment experience and whether the experience was sufficient to substantially minimize the possibility of a recurrence of alcohol/drug related problems.
  - E) Any recommendations for continuing care or follow-up support, and an indication of the petitioner's participation, if applicable.
  - F) The rationale for any modification in the treatment requirements specified by OASA.
  - G) The dated signature of the professional staff person providing the treatment information.
- 2) Copies of the following documents required by OASA:
  - A) Individualized Treatment Plan. (See 77 Ill. Adm. Code 2060.421.)
  - B) Discharge Summary and Continuing Care Plan. (See 77 Ill. Adm. Code 2060.427.)
- 3) A current status report regarding the petitioner's involvement in continuing care. This report must discuss the petitioner's level of progress in completing follow-up activities outlined in the Continuing Care Plan. If continuing care has been completed, a summary report must be provided which discusses the petitioner's progress throughout the course of completing all follow-up activities detailed in the Continuing Care Plan. If continuing care has been determined to be unnecessary, a report must be provided which discusses the clinical rationale for that decision.
- 4) If the petitioner is unable to provide the required information, he/she must provide documentary evidence of his/her attempts to obtain the information and the reason for its unavailability.
  - n) If a petitioner presents an alcohol/drug evaluation that was obtained as a condition precedent to either obtaining a JDP or the disposition of a DUI charge, that evaluation must meet the requirements of this Section in order to be accepted by the Secretary of State.

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## NOTICE OF EXPEDITED CORRECTION

- o) Out-of-state petitioners whose last arrest for driving under the influence occurred more than 10 years from the date of the current application for relief may be excused from the requirement of an evaluation if the other evidence required of the petitioner, as set out in this subsection, indicates that the petitioner does not have a current problem with alcohol or other drugs; that, if the petitioner has had an alcohol problem, it has been resolved; that the petitioner is now a low or minimum risk to repeat his/her past abusive behaviors and the operation of a motor vehicle while under the influence of alcohol or other drugs; and that the petitioner can now be considered a safe and responsible driver. The rationale for this subsection is that the length of time since the petitioner's last DUI arrest indicates he/she is no longer a dangerous driver, and that Illinois' interest in a driver who no longer resides in this state is less than in one who resides in Illinois. Therefore, this exception does not apply to petitioners who reside within 30 miles of the Illinois border.
  - 1) Petitioner must submit, at a minimum, the following evidence:
    - A) An affidavit regarding his/her alcohol/drug use, on a form provided by the Secretary of State.
    - B) At least 3 letters of reference which, at a minimum, verify the frequency and amount of the petitioner's alcohol/drug use for at least the last 12 months prior to the hearing. The letters should also discuss the petitioner's character and ability to be a safe and responsible driver. The author must state how long he/she has known the petitioner, how often he/she sees, speaks to, or otherwise has contact with the petitioner, the nature of the contact, and the nature of their relationship.
    - C) If the petitioner was required to participate in an alcohol/drug evaluation after his/her last arrest for driving under the influence, then the petitioner must submit a copy of that evaluation.
    - D) If the petitioner has received treatment for alcohol/drug abuse, then he/she must submit a copy of the discharge summary of that treatment (written by the agency which provided the treatment).
    - E) Petitioners who have been identified as or believe themselves to be alcoholic/chemically dependent must fulfill the requirements of subsection (b)(3) above pertaining to abstinence and the establishment of an ongoing support/recovery program.
    - F) Credible evidence of his/her driving record in the current state of residence. The Secretary of State may also obtain this evidence.
    - G) Any other relevant evidence which the petitioner desires to provide.
  - 2) Upon receipt of this evidence, it shall be reviewed by the



## SECRETARY OF STATE

## NOTICE OF EXPEDITED CORRECTION

Director of the Department, or a duly appointed hearing officer designated by the Director, for the purpose of determining whether the requirement of an alcohol/drug evaluation should be waived and the out-of-state petition disposed of based upon the evidence listed in subsection (c)(1). The factors recited in subsection (d) shall be utilized and applied in making this determination.

(Source: Expedited correction at 25 Ill. Reg. 7352--, effective December 15, 2000)

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Pursuant to 35 Ill. Adm. Code 302.Subpart F, the following water quality criteria have been derived as listed. This listing includes only the waterbodies for which water quality criteria have been used during the period February 1, 2001 through April 30, 2001.

A cumulative listing of criteria as of July 31, 1993 was published in 17 Ill. Reg. 18904, October 29, 1993. Listings of waterbodies for which water quality criteria were used during subsequent three month periods were published in 18 Ill. Reg. 318, January 7, 1994; 18 Ill. Reg. 4457, March 18, 1994; 18 Ill. Reg. 8734, June 10, 1994; 18 Ill. Reg. 14166, September 9, 1994; 18 Ill. Reg. 17770, December 9, 1994; 19 Ill. Reg. 3563, March 17, 1995; 19 Ill. Reg. 7270, May 26, 1995; 19 Ill. Reg. 12527, September 1, 1995; 20 Ill. Reg. 649, January 5, 1996; 20 Ill. Reg. 4829, March 22, 1996; 20 Ill. Reg. 7549, May 30, 1996; 20 Ill. Reg. 12278, September 6, 1996; 20 Ill. Reg. 15619, December 6, 1996; 21 Ill. Reg. 3761, March 21, 1997; 21 Ill. Reg. 7554, June 13, 1997; 21 Ill. Reg. 12695, September 12, 1997; 21 Ill. Reg. 16193, December 12, 1997; 22 Ill. Reg. 5131, March 13, 1998; 22 Ill. Reg. 10689, June 12, 1998; 22 Ill. Reg. 16376, September 11, 1998; 22 Ill. Reg. 22423, December 28, 1998; 23 Ill. Reg. 3102, March 12, 1999; 23 Ill. Reg. 6979, June 11, 1999; 23 Ill. Reg. 11774, September 24, 1999; 23 Ill. Reg. 14772, December 27, 1999; 24 Ill. Reg. 4251, March 17, 2000; 24 Ill. Reg. 8146, June 9, 2000; 24 Ill. Reg. 14428, September 29, 2000; 25 Ill. Reg. 270, January 5, 2001; and 25 Ill. Reg. 4049, March 16, 2001.

Chemical: Acenaphthene  
Acute criterion: 124 ug/l  
Date criteria derived:  
November 14, 1991

CAS #83-32-9  
Chronic criterion: 9.9 ug/l

Applicable waterbodies:  
Not used during this period.

Chemical: Acetone  
Acute criterion: 1,530 mg/l  
Date criteria derived:  
May 25, 1993  
Applicable waterbodies:  
Not used during this period.

CAS #67-64-1  
Chronic criterion: 122 mg/l

Chemical: Acetonitrile  
Acute criterion: 375 mg/l  
Date criteria derived:  
December 7, 1993  
Applicable waterbodies:  
Not used during this period.

CAS #75-05-8  
Chronic criterion: 30 mg/l

Chemical: Acrylonitrile  
Acute criterion: 910 ug/l

CAS #107-13-4  
Chronic criterion: 73 ug/l

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Human health criterion (HNC):  
0.21 ug/l

Date criteria derived:

November 13, 1991

Applicable waterbodies:

Not used during this period.

Chemical: Anthracene

Human health criterion (HTC):

35 mg/l

Date criteria derived:

August 18, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzene

Acute criterion: 1,300 ug/l

Human health criterion (HNC):

21 ug/l

Date criteria derived:

August 15, 1990, revised

January 14, 1999

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(a)anthracene

Human health criterion (HNC):

0.01 ug/l

Date criteria derived:

August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(a)pyrene

Human health criterion (HNC):

0.01 ug/l

Date criteria derived:

August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(b)fluoranthene

Human health criterion (HNC):

0.01 ug/l

Date criteria derived:

August 10, 1993

CAS #120-12-7

CAS #71-43-2

Chronic criterion: 110 ug/l

CAS #56-55-3

CAS #50-32-8

CAS # 205-99-2

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(k)fluoranthene

Human health criterion (HNC):

0.01 ug/l

Date criteria derived:

August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Carbon tetrachloride

Acute criterion: 3,500 ug/l

Human health criterion (HNC):

1.4 ug/l

Date criteria derived:

June 18, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Chlorobenzene

Acute criterion: 993 ug/l

Date criteria derived:

December 11, 1991

Applicable waterbodies:

Not used during this period.

Chemical: Chloroform

Acute criterion: 1,870 ug/l

Human health criterion (HNC):

130 ug/l

Date criteria derived:

October 26, 1992

Applicable waterbodies:

Not used during this period.

Chemical: Chrysene

Human health criterion (HNC):

0.01 ug/l

Date criteria derived:

August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: 1,2-dichlorobenzene

Acute criterion: 210 ug/l

CAS #95-50-1  
Chronic criterion: 16.8 ug/l

CAS #108-90-7

Chronic criterion: 79 ug/l

CAS #67-66-3

Chronic criterion: 150 ug/l

CAS #218-01-9



## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Date criteria derived:

December 1, 1993

Applicable waterbodies:

Not used during this period.

Chemical: 1,3-dichlorobenzene

Acute criterion: 500 ug/l

Date criteria derived:

July 31, 1991

Applicable waterbodies:

Not used during this period.

CAS #541-73-1

Chronic criterion: 196 ug/l

Chemical: 1,2-dichloroethane

Acute criterion: 24,900 ug/l

Human health criterion (HNC):  
23 ug/l

Date criteria derived:

March 19, 1992

Applicable waterbodies:

Not used during this period.

CAS #107-06-2

Chronic criterion: 4,540 ug/l

Chemical: 1,1-dichloroethylene

Acute criterion: 3,030 ug/l

Human health criterion (HNC):  
0.95 ug/l

Date criteria derived:

March 20, 1992

Applicable waterbodies:

Not used during this period.

CAS #75-35-4

Chronic criterion: 242 ug/l

Chemical: 2,4-dichlorophenol

Acute criterion: 631 ug/l

Date criteria derived:

November 14, 1991

Applicable waterbodies:

Not used during this period.

CAS #120-83-2

Chronic criterion: 83.1 ug/l

Chemical: 1,2-dichloropropane

Acute criterion: 4,800 ug/l

Date criteria derived:

December 7, 1993

Applicable waterbodies:

Not used during this period.

CAS #78-87-5

Chronic criterion: 380 ug/l

Chemical: 1,3-dichloropropylene

Acute criterion: 99 ug/l

CAS #542-75-6

Chronic criterion: 7.9 ug/l

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Date criteria derived:

November 13, 1991

Applicable waterbodies:

Not used during this period.

Chemical: 2,4-dimethyl phenol

Acute criterion: 740 ug/l

Date criteria derived:

October 26, 1992

Applicable waterbodies:

Not used during this period.

CAS #105-67-9

Chronic criterion: 220 ug/l

Chemical: 4,6-dinitro-o-cresol =

2-methyl-4,6-dinitrophenol

Acute criterion: 28.8 ug/l

Date criteria derived:

November 14, 1991

Applicable waterbodies:

Not used during this period.

CAS #534-52-1

Chronic criterion: 2.3 ug/l

Chemical: 2,4-dinitrophenol

Acute criterion: 85.3 ug/l

Date criteria derived:

December 1, 1993

Applicable waterbodies:

Not used during this period.

CAS #51-28-5

Chronic criterion: 4.07 ug/l

Chemical: 2,6-dinitrotoluene

Acute criterion: 1,910 ug/l

Date criteria derived:

February 14, 1992

Applicable waterbodies:

Not used during this period.

CAS #606-20-2

Chronic criterion: 153 ug/l

Chemical: Diquat

Acute criterion: 1,330 ug/l

Date criteria derived:

January 30, 1996

Applicable waterbodies:

Not used during this period.

CAS #85-00-7

Chronic criterion: 106 ug/l

Chemical: Ethylbenzene

Acute criterion: 220 ug/l

CAS #100-41-4

Chronic criterion: 17 ug/l

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Date criteria derived:  
August 15, 1990, revised  
May 17, 1991

Applicable waterbodies:  
Not used during this period.

Chemical: Fluoranthene  
Human health criterion (HTC):  
120 ug/l

Date criteria derived:  
August 10, 1993  
Applicable waterbodies:  
Not used during this period.

Chemical: Formaldehyde  
Acute criterion: 4.9 mg/l  
Date criteria derived:  
January 19, 1993  
Applicable waterbodies:  
Not used during this period.

Chemical: Hexachlorobenzene  
Human health criterion (HNC):  
0.00025 ug/l  
Date criteria derived:  
November 15, 1991  
Applicable waterbodies:  
Not used during this period.

Chemical: Hexachlorobutadiene  
Acute criterion: 34.5 ug/l  
Date criteria derived:  
March 23, 1992  
Applicable waterbodies:  
Not used during this period.

Chemical: Hexachloroethane  
Acute criterion: 381 ug/l  
Human health criterion (HNC):  
2.9 ug/l  
Date criteria derived:  
November 15, 1991  
Applicable waterbodies:  
Not used during this period.

Chemical: Isobutyl alcohol =

CAS #206-44-0

CAS #50-00-0  
Chronic criterion: 0.39 mg/l

CAS #118-74-1

CAS #87-68-3  
Chronic criterion: 2.76 ug/l

CAS #67-72-1  
Chronic criterion: 30.5 ug/l

CAS #78-83-1

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

2-methyl-1-propanol  
Acute criterion: 434 mg/l  
Date criteria derived:  
December 1, 1993  
Applicable waterbodies:  
Not used during this period.  
Chronic criterion: 34.8 mg/l

Chemical: Methylene chloride  
Acute criterion: 17,200 ug/l  
Human health criterion (HNC):  
340 ug/l  
Date criteria derived:  
January 21, 1992  
Applicable waterbodies:  
Not used during this period.  
CAS #75-09-2  
Chronic criterion: 1,380 ug/l

Chemical: Methyleneketone  
Acute criterion: 322,000 ug/l  
Date criteria derived:  
July 1, 1992  
Applicable waterbodies:  
Not used during this period.  
CAS #78-93-3  
Chronic criterion: 26,000 ug/l

Chemical: 4-methyl-2-pentanone  
Acute criterion: 46 mg/l  
Date criteria derived:  
January 13, 1992  
Applicable waterbodies:  
Not used during this period.  
CAS #108-10-1  
Chronic criterion: 3.68 mg/l

Chemical: 2-methyl phenol  
Acute criterion: 4.7 mg/l  
Date criteria derived:  
November 8, 1993  
Applicable waterbodies:  
Not used during this period.  
CAS #95-48-7  
Chronic criterion: 0.37 mg/l

Chemical: 4-methyl phenol  
Acute criterion: 670 mg/l  
Date criteria derived:  
January 13, 1992  
Applicable waterbodies:  
Not used during this period.  
CAS #106-44-5  
Chronic criterion: 120 mg/l

Chemical: Naphthalene  
Acute criterion: 670 ug/l  
CAS #91-20-3  
Chronic criterion: 68 ug/l



## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Date criteria derived:  
November 7, 1991  
Applicable waterbodies:  
Not used during this period.

Chemical: 4-nitroaniline  
Acute criterion: 1.5 mg/l  
Date criteria derived:  
May 5, 1996  
Applicable waterbodies:  
Not used during this period.

CAS #100-01-6  
Chronic criterion: 0.12 mg/l

Chemical: Nitrobenzene  
Acute criterion: 15.4 mg/l  
Human health criterion (HTC):  
0.52 mg/l  
Date criteria derived:  
February 14, 1992  
Applicable waterbodies:  
Not used during this period.

CAS #98-95-3  
Chronic criterion: 4.67 mg/l

Chemical: Pentachlorophenol  
Acute criterion: 20 ug/  
Date criteria derived:  
national criterion,  
September 1986  
Applicable waterbodies:  
Not used during this period.

Chronic criterion: 13 ug/l

Chemical: Phenanthrene  
Acute criterion: 46 ug/l  
Date criteria derived:  
October 26, 1992  
Applicable waterbodies:  
Not used during this period.

CAS #85-01-8  
Chronic criterion: 3.7 ug/l

Chemical: Pyrene  
Human health criterion (HTC):  
3,500 ug/l  
Date criteria derived:  
December 22, 1992  
Applicable waterbodies:  
Not used during this period.

CAS #120-00-0

Chemical: Tetrachloroethylene  
Acute criterion: 1,220 ug/l

CAS #127-18-4  
Chronic criterion: 152 ug/l

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Date criteria derived:  
March 23, 1992  
Applicable waterbodies:  
Not used during this period.

Chemical: Tetrahydrofuran  
Acute criterion: 216,000 ug/l  
Date criteria derived:  
March 16, 1992  
Applicable waterbodies:  
Not used during this period.

CAS #109-99-9  
Chronic criterion: 17,300 ug/l

Chemical: Toluene  
Acute criterion: 1,300 ug/l  
Date criteria derived:  
August 16, 1990, revised  
May 17, 1991, January 26,  
1993 and January 14, 1999  
Applicable waterbodies:  
Not used during this period.

CAS #108-88-3  
Chronic criterion: 110 ug/l

Chemical: 1,2,4-trichlorobenzene  
Acute criterion: 353 ug/l  
Date criteria derived:  
December 14, 1993  
Applicable waterbodies:  
Not used during this period.

CAS #120-82-1  
Chronic criterion: 69.2 ug/l

Chemical: 1,1,1-trichloroethane  
Acute criterion: 4,910 ug/l  
Date criteria derived:  
October 26, 1992  
Applicable waterbodies:  
Not used during this period.

CAS #71-55-6  
Chronic criterion: 393 ug/l

Chemical: 1,1,2-trichloroethane  
Acute criterion: 19,000 ug/l  
Human health criterion (HNC):  
12 ug/l  
Date criteria derived:  
December 13, 1993  
Applicable waterbodies:  
Not used during this period.

CAS #79-00-5  
Chronic criterion: 3,540 ug/l

Chemical: Trichloroethylene  
Acute criterion: 11,700 ug/l

CAS #79-01-6  
Chronic criterion: 940 ug/l

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Date criteria derived:

October 23, 1992

Applicable waterbodies:

Not used during this period.

Chemical: Xylenes

CAS # 1330-20-7

Acute criterion: 1,500 ug/l

Chronic criterion: 120 ug/l

Date criteria derived:

August 23, 1990, revised

January 14, 1999

Applicable waterbodies:

Not used during this period.

For additional information concerning these criteria or the derivation process used in generating them, please contact:

Bob Mosher

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue East

Post Office Box 19276

Springfield, Illinois 62794-9276

217/782-3362

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER

ROOM 16-503

CHICAGO, ILLINOIS

10:30 A.M.

JUNE 12, 2001

NOTICES: The scheduled date and time for the JCAR meeting are subject to change. Due to Register submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting and items from the list can be postponed to future meetings.

*If members of the public wish to express their views with respect to a rulemaking, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:*

Joint Committee on Administrative Rules

700 Stratton Office Building

Springfield, Illinois 62706

Email: [jcar@legis.state.il.us](mailto:jcar@legis.state.il.us)

Phone: 217/785-2254

## RULEMAKINGS CURRENTLY BEFORE JCAR

## PROPOSED RULEMAKINGS

Central Management Services

## 1. Pay Plan (80 Ill Adm Code 310)

-First Notice Published: 25 Ill Reg 3058 - 3/2/01

-Expiration of Second Notice: 6/13/01

## 2. Local Government Health Plan (80 Ill Adm Code 2160)

-First Notice Published: 25 Ill Reg 2941 - 2/23/01

-Expiration of Second Notice: 6/16/01

Commerce and Community Affairs

## 3. Illinois Promotion Act Programs (Repeal) (14 Ill Adm Code 510)

-First Notice Published: 25 Ill Reg 4326 - 3/30/01

-Expiration of Second Notice: 7/5/01

## 4. Illinois Promotion Act Programs (14 Ill Adm Code 510)

-First Notice Published: 25 Ill Reg 4359 - 3/30/01

-Expiration of Second Notice: 7/7/01

Corrections



JOINT COMMITTEE ON ADMINISTRATIVE RULES

NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
JUNE 12, 2001

5. Discipline and Grievances (20 Ill Adm Code 504)  
-First Notice Published: 25 Ill Reg 4075 - 3/23/01  
-Expiration of Second Notice: 7/4/01

Education

6. Public Schools Evaluation, Recognition and Supervision (23 Ill Adm Code 1)

-First Notice Published: 25 Ill Reg 3330 - 3/9/01  
-Expiration of Second Notice: 7/5/01

7. School Technology Program (23 Ill Adm Code 575)  
-First Notice Published: 25 Ill Reg 2485 - 2/16/01  
-Expiration of Second Notice: 6/14/01

Environmental Protection Agency

8. Annual Emissions Report (35 Ill Adm Code 254)  
-First Notice Published: 25 Ill Reg 3099 - 3/2/01  
-Expiration of Second Notice: 7/5/01

Human Services

9. Early Intervention Program (Repeal) (59 Ill Adm Code 121)  
-First Notice Published: 25 Ill Reg 2551 - 2/16/01  
-Expiration of Second Notice: 7/8/01

10. Certification Under Medicaid Rehabilitation Option for Early Intervention Programs (Repeal) (59 Ill Adm Code 122)  
-First Notice Published: 25 Ill Reg 2529 - 2/16/01  
-Expiration of Second Notice: 7/8/01

11. Child Care (89 Ill Adm Code 50)  
-First Notice Published: 25 Ill Reg 2549 - 2/16/01  
-Expiration of Second Notice: 6/17/01

12. Refugee/Entrant/Repatriate Program (89 Ill Adm Code 115)  
-First Notice Published: 25 Ill Reg 2960 - 2/23/01  
-Expiration of Second Notice: 6/15/01

13. Early Intervention Program (89 Ill Adm Code 500)  
-First Notice Published: 25 Ill Reg 2589 - 2/16/01

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
JUNE 12, 2001

14. Authorizations (89 Ill Adm Code 520)  
-First Notice Published: 25 Ill Reg 2524 - 2/16/01  
-Expiration of Second Notice: 7/14/01

Insurance

15. Minimum Standards for Individual and Group Medicare Supplement Insurance (50 Ill Adm Code 2008)  
-First Notice Published: 25 Ill Reg 1904 - 2/2/01  
-Expiration of Second Notice: 6/28/01

Natural Resources

16. Fox Chain O'Lakes Aquatic Plant Management (17 Ill Adm Code 895)  
-First Notice Published: 25 Ill Reg 3792 - 3/16/01  
-Expiration of Second Notice: 6/16/01

17. Lake Michigan Aquatic Plant Management (17 Ill Adm Code 897)  
-First Notice Published: 25 Ill Reg 3799 - 3/16/01  
-Expiration of Second Notice: 6/16/01

18. Consignment of Licenses, Stamps and Permits (17 Ill Adm Code 2520)  
-First Notice Published: 25 Ill Reg 4109 - 3/23/01  
-Expiration of Second Notice: 6/28/01

19. The Illinois Oil and Gas Act (62 Ill Adm Code 240)  
-First Notice Published: 25 Ill Reg 3355 - 3/9/01  
-Expiration of Second Notice: 6/24/01

Public Aid

20. Medical Payment (89 Ill Adm Code 140)  
-First Notice Published: 25 Ill Reg 3190 - 3/2/01  
-Expiration of Second Notice: 6/14/01

21. Hospital Services (89 Ill Adm Code 148)  
-First Notice Published: 25 Ill Reg 4124 - 3/23/01  
-Expiration of Second Notice: 7/7/01

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
JUNE 12, 2001

Public Health

22. Illinois Swimming Pool and Bathing Beach Code (77 Ill Adm Code 820)  
-First Notice Published: 25 Ill Reg 2288 - 2/9/01  
-Expiration of Second Notice: 6/28/01

Racing Board

23. Claiming Races (11 Ill Adm Code 510)  
-First Notice Published: 25 Ill Reg 781 - 1/19/01  
-Expiration of Second Notice: 6/28/01

Revenue

24. Income Tax (86 Ill Adm Code 100)  
-First Notice Published: 25 Ill Reg 3211 - 3/2/01  
-Expiration of Second Notice: 6/13/01

25. Automobile Renting Occupation Tax (86 Ill Adm Code 180)  
-First Notice Published: 25 Ill Reg 792 - 1/19/01  
-Expiration of Second Notice: 6/13/01

26. Automobile Renting Use Tax (86 Ill Adm Code 190)  
-First Notice Published: 25 Ill Reg 4180 - 3/23/01  
-Expiration of Second Notice: 6/23/01

27. Salem Civic Center Retailers' Occupation Tax (86 Ill Adm Code 690)  
-First Notice Published: 25 Ill Reg 3640 - 3/9/01  
-Expiration of Second Notice: 6/17/01

Secretary of State

28. Regulations Under Illinois Securities Law of 1953 (14 Ill Adm Code 130)  
-First Notice Published: 25 Ill Reg 4184 - 3/23/01  
-Expiration of Second Notice: 6/24/01

29. Public Library Construction Grants (23 Ill Adm Code 3060)  
-First Notice Published: 25 Ill Reg 4810 - 4/6/01  
-Expiration of Second Notice: 7/6/01

State Fire Marshal

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
JUNE 12, 2001

30. Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances (41 Ill Adm Code 170)  
-First Notice Published: 25 Ill Reg 3338 - 3/9/01  
-Expiration of Second Notice: 7/6/01

State Police

31. Emission Inspection Training and Certification (20 Ill Adm Code 1293)  
-First Notice Published: 25 Ill Reg 3827 - 3/16/01  
-Expiration of Second Notice: 6/16/01

State Universities Retirement System

32. Universities Retirement (80 Ill Adm Code 1600)  
-First Notice Published: 25 Ill Reg 798 - 1/19/01  
-Expiration of Second Notice: 6/20/01

Transportation

33. Relocation Assistance Services and Payments Program for Airport Projects (92 Ill Adm Code 12)  
-First Notice Published: 25 Ill Reg 4545 - 3/30/01  
-Expiration of Second Notice: 6/28/01

Veterans' Affairs

34. Payment of Maintenance Charges and Income Management at the Illinois Veterans Homes (95 Ill Adm Code 108)  
-First Notice Published: 25 Ill Reg 3829 - 3/16/01  
-Expiration of Second Notice: 6/30/01

**EMERGENCY AND PEREMPTORY RULEMAKINGS**Children and Family Services

35. Service Appeal Process (Repeal) (89 Ill Adm Code 337 (Emergency))  
-Notice Published: 25 Ill Reg 6735 - 5/25/01

**AGENCY RESPONSES**Education



JOINT COMMITTEE ON ADMINISTRATIVE RULES

NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
JUNE 12, 2001

36. Standards for Certification in Special Education (23 Ill Adm Code 28;  
24 Ill Reg 16738)

Natural Resources

37. White-Tailed Deer Hunting by Use of Firearms (17 Ill Adm Code 650; 25  
Ill Reg 1060)
38. White-Tailed Deer Hunting by Use of Bow and Arrow (17 Ill Adm Code 670;  
25 Ill Reg 1047)

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of May 22, 2001 through May 29, 2001 and have been scheduled for review by the Committee at its June 12, 2001 or July 10, 2001 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
7/5/01	Department of Commerce and Community Affairs, Illinois Promotion Act Programs (Repeal) (14 Ill Adm Code 510)	3/30/01 25 Ill Reg 4326	6/12/01
7/5/01	Environmental Protection Agency, Annual Emissions Report (35 Ill Adm Code 254)	3/2/01 25 Ill Reg 3099	6/12/01
7/5/01	State Board of Education, Public Schools Evaluation, Recognition and Supervision (23 Ill Adm Code 1)	3/9/01 25 Ill Reg 3330	6/12/01
7/6/01	Secretary of State, Public Library Construction Grants (23 Ill Adm Code 3060)	4/6/01 25 Ill Reg 4810	6/12/01
7/6/01	State Fire Marshal, Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances (41 Ill Adm Code 170)	3/9/01 25 Ill Reg 3338	6/12/01
7/7/01	Department of Public Aid, Hospital Services (89 Ill Adm Code 148)	3/23/01 25 Ill Reg 4124	6/12/01
7/7/01	Department of Commerce and Community Affairs, Illinois Promotion Act Programs (14 Ill Adm Code 510)	3/30/01 25 Ill Reg 4359	6/12/01
7/8/01	Department of Human Services, Early Intervention Program (89 Ill Adm Code 500)	2/16/01 25 Ill Reg 2589	6/12/01

2001-5  
EXECUTIVE ORDER CREATING THE  
UNIVERSAL ACCESS TO PRE-SCHOOL TASK FORCE

WHEREAS, quality early education programs have a lasting impact on the health, education and well-being of Illinois' children; and  
WHEREAS, a strong family environment coupled with good-quality early education is the foundation for the development of a strong and productive work force in Illinois; and  
WHEREAS, research has demonstrated that children who receive two years of quality early educational programs have better short and long term outcomes related to school performance; and  
WHEREAS, parents' varied scheduling needs and preferences require a variety of pre-kindergarten options including part-day, full-day and full-year.

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, order the following:

I. ESTABLISHMENT  
There shall be established the Task Force on Universal Access to Pre-School.

II. PURPOSE

1. The Task Force on Universal Access to Pre-School will have the responsibility of creating a five-year blueprint, with cost estimates, for achieving the goal of quality early childhood education opportunities for all three to five year olds whose parents or guardians want them to participate.
2. The Task Force on Universal Access to Pre-School will gather information from parents, civic groups and others who serve young children in order to develop their recommendations.
3. The Task Force on Universal Access to Pre-School shall submit their five-year blueprint to the Governor and the General Assembly by January 1, 2002.

III. MEMBERSHIP

1. The Task Force shall consist of the First Lady, Lura Lynn Ryan, as Chairperson and at least 15 but not more than 35 additional members, all appointed by the Governor.
2. Members shall include, but are not limited to, persons who are active in and knowledgeable about the following areas: early child development, child welfare, and education.
3. Members shall serve one-year terms without compensation, but may be reimbursed for expenses.
4. The Task Force will be provided assistance and necessary staff support services by the Office of the Governor and the agencies of state government involved in the issues to be addressed by the Task Force.

IV. EFFECTIVE DATE

This Executive Order Number 5 (2001) shall be effective upon filing with the Secretary of State.  
Issued by the Governor April 18, 2001.  
Filed with the Secretary of State April 18, 2001.

2001-6  
EXECUTIVE ORDER REAFFIRMING A COMMITMENT TO A QUALITY AND DIVERSIFIED  
HIGHER EDUCATION FACULTY

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

7/8/01	Department of Human Services, Certification Under Medicaid Rehabilitation Option for Early Intervention Programs (Repeal) (59 Ill Adm Code 122)	2/16/01 25 Ill Reg 2529	6/12/01
7/8/01	Department of Human Services, Early Intervention Program (Repeal) (59 Ill Adm Code 121)	2/16/01 25 Ill Reg 2551	6/12/01
7/12/01	Department of Revenue, Telefiling of Illinois Individual Income Tax Returns (86 Ill Adm Code 107)	2/23/01 25 Ill Reg 2967	7/10/01



WHEREAS, it is crucial to the State of Illinois that institutions of higher education attract and retain high quality and diversified faculty members; and

WHEREAS, the development and implementation of a program for recruitment of a diversified faculty will help to increase employment of personnel in minority faculty positions; and

WHEREAS, the Illinois Committee on Black Concerns of Higher Education has completed a study showing a serious under representation of minority faculty in Illinois public universities; and

WHEREAS, the Board of Higher Education and Southern Illinois University have jointly completed a positive evaluation of minority graduate incentive programs designed to increase the number of faculty at Illinois institutions of higher education; and

WHEREAS, the Board of Higher Education has adopted a consultant's study recommending that minority graduate programs be strengthened; and

WHEREAS, the Board of Higher Education is focusing on Access and Diversity in Illinois Higher Education; and

WHEREAS, the Board of Higher Education master plan is to increase access and diversity in higher education.

THEREFORE, I, George H. Ryan, hereby order the following:

I. The Board of Higher Education shall work with public and independent institutions of higher education on outlining steps to increase minority faculty in institutions of higher education.

II. The Department of Human Rights, the Community College Board and the Board of Higher Education shall publicize and make available training on effective recruitment as needed and/or requested by institutions of higher education.

III. The Illinois Community College Board shall take steps necessary to actively recruit fellows from the Illinois Consortium for Educational Opportunity Program for placement in the Illinois Community College System.

IV. Public university presidents shall take steps necessary to actively recruit fellows from the Illinois Minority Graduate Incentive Program.

V. The Board of Higher Education shall take proactive steps to strengthen minority graduate scholarship programs that train minority faculty.

VI. All presidents and chancellors of Illinois institutions of higher education shall inform their key management staff of the commitment to attain a diversified work force in Illinois higher education.

This Executive Order Number 6 (2001) shall be effective upon filing with the Secretary of State.

Issued by the Governor April 19, 2001.

Filed with the Secretary of State April 19, 2001.

2001-7

**EXECUTIVE ORDER CREATING THE GOVERNOR'S COMMISSION ON REVISING THE  
ILLINOIS SCHOOL CODE**

WHEREAS, public schools are the backbone of our democracy, providing young people with the tools they need to maintain our State's precious values of freedom, civility, and equality; and

WHEREAS, approximately 130,000 full and part-time public school teachers guide over 2,000,000 students in 4,290 public schools in the State of Illinois;

and WHEREAS, as prescribed by Article X of the Illinois Constitution, a fundamental goal of the people of the State of Illinois is the education development of all persons to the limits of their capacities; and

WHEREAS, the School Code of Illinois took effect forty years ago, on July 1, 1961; and

WHEREAS, due to repeated amendments to the Code over the past forty years, the Code today contains outdated and inconsistent language; obsolete, overlapping and conflicting provisions; and confusing organizational structure that makes it difficult for educators, parents, the legal community and the general public to understand and use the School Code; and

WHEREAS, the State educational system has undergone a fundamental shift to standards-led reform in recent years, focusing on student achievement as the primary result of the educational system, and thus requiring substantial redesign of State policies, procedures and programs; and

WHEREAS, in order for the State to provide for an effective and efficient system of high quality public educational institutions and services, a comprehensive revision of the School Code to correct the foregoing deficiencies and reforms would be in the best interest of all whom use or rely on the School Code.

THEREFORE, I, George H. Ryan, order the following:

I. The creation of a Governor's Commission on Revising the School Code (GCRSC) in the State of Illinois.

**II. PURPOSE:**

The purpose of the GCRSC shall include, but not limited to, the following:

A. Conduct a comprehensive study and analysis of the existing School Code; and

B. Prepare a proposed revision of the School Code to update its language, to correct obsolete, overlapping and conflicting provisions so that it will be more easily applied and understood by educators, parents, the legal community and the general public.

C. Propose new provisions which address the changing nature of education which will ensure that educational system of Illinois is the best it can be for all its citizens; and

D. To make other non-substantive changes to the Code in order to improve the Code's overall organization, readability, and ease of use.

**III. MEMBERSHIP**

A. The voting members of the GCRSC shall consist of not more than 40 members appointed by the Governor. The Governor shall designate a Chairperson and Vice-Chairpersons.

B. Members may include, but are not limited to, school board members, school administrators, teachers, school attorneys, university professors, representatives of education interest groups and members of the public. The members shall serve at the pleasure of the Governor.

C. Members of the GCRSC shall serve without compensation, but may be reimbursed for expenses incurred in carrying out the duties of the GCRSC unless prohibited by any law or regulation.

D. The GCRSC shall be provided assistance and necessary staff of the Legislative Reference Bureau and support services by the Office of the Governor and the agencies of State government involved in the issues to be addressed by it.

E. The GCRSC shall seek the input and participation of other departments,

agencies, boards and commissions, units of government, private organizations, public interest groups and educational organizations as necessary or appropriate.

### III. MEETINGS:

The entire GCRSC shall meet at least quarterly or upon the call of the Chairpersons or a majority of the members. A quorum of the GCRSC shall consist of a majority of the members.

### IV. REPORT:

The GCRSC shall submit a final report to the Governor and the Illinois General Assembly by January 1, 2003.

### V. EFFECTIVE DATE:

This Executive Order Number 7 (2001) shall be effective upon filing with the Secretary of State.

Issued by the Governor April 20, 2001.

Filed with the Secretary of State April 20, 2001.

## PROCLAMATIONS

2001-247

### DECATUR COUNCIL #577 DAY

WHEREAS, the Illinois Knights of Columbus are now in their second century of service to our church, our communities and our families; and

WHEREAS, Decatur Council #577 was chartered on May 12, 1901; and

WHEREAS, throughout the past 100 years, members and families of Council #577 have served our church, order, parishes, families, community and country with charity, unity, and patriotism; and

WHEREAS, members and families of Council #577 have served their community with many charitable activities, including Special Olympics and the Red Cross Blood Bank, and they have continued to support St. Teresa High School; and

WHEREAS, members of Council #577 have served in positions of leadership in the Illinois State Council and the Supreme Council; and

WHEREAS, Council #577 will celebrate its 100th anniversary with a mass and banquet and begin a new century of service to God, country and community;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 12, 2001, as DECATUR COUNCIL #577 DAY in Illinois.

Issued by the Governor April 25, 2001.

Filed by the Secretary of State May 3, 2001.

2001-248

### DECATUR NATIONAL LETTER CARRIERS BRANCH 317 DAY

WHEREAS, the National Association of Letter Carriers (NALC), Decatur Branch 317, the United States Postal Service, Rural Carriers, the United Way of Decatur/Macon County, and the AFL-CIO Decatur Trades and Labor Assembly will sponsor the annual Letter Carriers Food Drive on Saturday, May 12, 2001; and

WHEREAS, on this day, residents are asked to put non-perishable food items by their mailboxes to be picked up by the letter carriers and distributed to food pantries in Decatur and Macon County; and

WHEREAS, over 100 volunteers from the community help collect, sort, and deliver the food to the food pantries whose shelves are bare or almost empty; and

WHEREAS, the national drive, created by the NALC, has quickly become the largest one-day food drive; and

WHEREAS, last year, Decatur's NALC Branch 317 averaged about one pound of food per resident in the county and was ranked number one in the nation for pounds of food collected per resident; and

WHEREAS, the Decatur drive collected over 90,000 pounds of food and distributed it to local agencies including the Salvation Army, Northeast Community Fund, Love-Unlimited, Catholic Charities, United Harvest Distribution, Maranatha Church, AMELCA, and the Harristown and Blue Mound food pantries;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 12, 2001, as DECATUR NATIONAL LETTER CARRIERS BRANCH 317 DAY in Illinois.

Issued by the Governor April 25, 2001.

Filed by the Secretary of State May 3, 2001.



## 2001-249

## YWCA HISTORY DAY

WHEREAS, for 125 years, the YWCA of Metropolitan Chicago has celebrated the women of Chicago through direct services and support critical to improving their lives and today serves 90,000 women, children, and families a year; and

WHEREAS, the YWCA mission to empower women and eliminate racism translates into a vision to create opportunities for growth, leadership, and power for women, girls and families; and

WHEREAS, since its early days, the YWCA has provided services essential to working women, including child care services, senior adult day care, job readiness training, crisis counseling, and support to help teen mothers finish school; and

WHEREAS, the YWCA provides community-wide education and awareness programs such as violence prevention for children and youths, the YWCA Week Without Violence and the National YWCA Day of Commitment to Eliminate Racism; and

WHEREAS, the YWCA's pioneering work and achievements will be recognized at a 125th Celebration Gala on June 1, 2001;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 1, 2001, as YWCA HISTORY DAY in Illinois.

Issued by the Governor April 25, 2001.

Filed by the Secretary of State May 3, 2001.

## 2001-250

## AMATEUR RADIO AWARENESS MONTH

WHEREAS, the State of Illinois has more than 23,000 licensed Amateur Radio operators, also known as Hams, and 65 Amateur Radio clubs, putting Illinois among the top five in terms of the number of Hams; and

WHEREAS, Hams have demonstrated their value in public assistance by providing emergency radio communications; and

WHEREAS, after disasters, Hams aid communication efforts among emergency officials by operating organized communication networks; and

WHEREAS, the Amateur Radio Emergency Service has formed agreements with the Federal Emergency Management Agency, the National Communications System, the American Red Cross, the Salvation Army, the National Weather Service and the Association of Public Safety Communications Officials; and

WHEREAS, over the years, Amateur Radio has contributed to technology by developing early mobile gear for automobiles and aircraft, developing the use of inexpensive "microsats", experimenting with the use of the Single Sideband mode and experimenting in digital signal processing circuitry and software; and

WHEREAS, this year's Amateur Radio Field Day will take place June 23-24, 2001;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 2001 as AMATEUR RADIO AWARENESS MONTH in Illinois.

Issued by the Governor April 26, 2001.

Filed by the Secretary of State May 3, 2001.

## 2001-251

## ARTS WEEK

WHEREAS, the arts in all forms are treasures that bring joy to everyone;

and

WHEREAS, our lives are enriched by the art that surrounds us in everyday environments - the art that is part of our history, and the art of far-away places that we bring into our hearts and minds; and

WHEREAS, the arts in Illinois deserve recognition and support so they may continue to flourish in abundant variety; and

WHEREAS, the Illinois Arts Council and the National Endowment for the Arts are two organizations that play a vital role in bringing the arts to our citizenry; and

WHEREAS, central to that partnership is the shared belief that freedom of artistic expression must remain unfettered by government interference in its content; and

WHEREAS, since 1978, Illinois has annually celebrated Arts Week, focusing attention on the value of the arts in our lives;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 7-13, 2001, as ARTS WEEK in Illinois.

Issued by the Governor April 26, 2001.

Filed by the Secretary of State May 3, 2001.

## 2001-252

## BARRINGTON CHILDREN'S CHOIR DAYS

WHEREAS, the Barrington Children's Choir has been selected to represent the State of Illinois in the 2001 American Celebration of Music in Italy, a major music festival in Europe; and

WHEREAS, at least one instrumental and one choral group from each of the 50 states will participate in the American Celebration of Music in Italy, honoring Italy's rich musical and cultural heritage; and

WHEREAS, the choir will participate in this international festival June 14-25, 2001, in Rome, Florence, Venice, and Milan; and

WHEREAS, the Barrington Children's Choir is directed by Peggy Crawford and was selected based upon recommendations of State music officials, past achievements, and current superior ratings; and

WHEREAS, a complete program of performances, sightseeing, cultural exchanges, orientation, meetings, and other cultural activities will be part of the rich experience for the Barrington Children's Choir;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 14-25, 2001, as BARRINGTON CHILDREN'S CHOIR DAYS in Illinois.

Issued by the Governor April 26, 2001.

Filed by the Secretary of State May 3, 2001.

## 2001-253

## CHILDREN'S MEMORIAL DAY

WHEREAS, the Child Welfare League of America has promoted the Children's Memorial Flag as a way of memorializing the thousands of children and teenagers in the United States who die violently each year; and

WHEREAS, the Children's Memorial Flag has become a recognizable symbol of the need to do a better job of protecting children; and

WHEREAS, the response of the public has been overwhelmingly positive as the program progresses each year; and

WHEREAS approximately 3 million children are reported abused and neglected



the prevention of environmental hazards, fire safety, bike safety, substance abuse prevention and criminal acts; and

WHEREAS, if started during childhood, proper habits and values can be maintained for a lifetime, producing a valued member of society who enhances a community and leaves a legacy for future generations; and

WHEREAS, Kids Day in Illinois is an opportunity for adults to learn about the ways that all of us can protect and strengthen the lives of children and to help them become healthier and happier;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 19, 2001, as KIDS DAY in Illinois.

Issued by the Governor April 26, 2001.

Filed by the Secretary of State May 3, 2001.

2001-256

#### MYASTHENIA GRAVIS MONTH

WHEREAS, Myasthenia Gravis, often referred to as "the disease nobody knows", is a neuro-muscular disorder that can affect anyone, regardless of age, race or sex; and

WHEREAS, originally diagnosed in the 17th century, this potentially fatal disorder currently afflicts about 240,000 Americans. Only in the last few decades has any real progress been made in diagnosing and treating this disease, largely through the efforts of the Myasthenia Gravis Foundation; and

WHEREAS, since diagnosis of Myasthenia Gravis is difficult, due to its similarities to other disorders, public awareness must be heightened. Medical professionals and physicians also need further education in its symptoms so that our citizens may be assured of proper care and treatment;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 2001 as MYASTHENIA GRAVIS MONTH in Illinois.

Issued by the Governor April 26, 2001.

Filed by the Secretary of State May 3, 2001.

2001-257

#### STOP THE VIOLENCE MONTH

WHEREAS, every person can move the world in the direction of peace through their daily nonviolent choice and action; and

WHEREAS, an awareness of nonviolent principles and practice is a powerful way to heal, transform, and empower our lives and communities; and

WHEREAS, Stop the Violence Month serves as an opportunity to recognize the individuals, programs, and organizations that are making a difference in our communities and to join in their efforts to move our society into a more peaceful era; and

WHEREAS, the State of Illinois is pleased to join with the National Stop the Violence Alliance in helping educate the public regarding the impact of crime on society and serve as a call to action to help prevent violence wherever and whenever possible; and

WHEREAS community crime and violence prevention efforts such as this can significantly reduce victimization and help rebuild a sense of mutual responsibility and shared pride in our neighborhoods, communities, State and nation;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim

in this country each year; and

WHEREAS, the effects of child abuse are felt by whole communities, and they need to be addressed by the entire community; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community; and

WHEREAS, all citizens should become more aware of the negative effects of child abuse and its prevention within their communities and become involved in supporting parents to raise their children in a safe, nurturing environment;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 27, 2001, as CHILDREN'S MEMORIAL DAY in Illinois.

Issued by the Governor April 26, 2001.

Filed by the Secretary of State May 3, 2001.

2001-254

#### INTERNATIONAL CHILDREN'S DAY

WHEREAS, each child is a part of the human family which guarantees them a sense of dignity and worth; and

WHEREAS, each child should be guaranteed equal attention and respect as a unique individual; and

WHEREAS, each child should feel secure in his/her natural innocence with the promise of protection by trusted adults; and

WHEREAS, each child should be given the promise of the continued search for peace by all concerned citizens; and

WHEREAS, each child should be given the opportunity to live in the precious present, draw knowledge from the past and hope for the future; and

WHEREAS, we understand that children are our hope for the future;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 1, 2001 as INTERNATIONAL CHILDREN'S DAY in Illinois.

Issued by the Governor April 26, 2001.

Filed by the Secretary of State May 3, 2001.

2001-255

#### KIDS DAY

WHEREAS, the health and well-being of Illinois children is a responsibility shared by the entire State; and

WHEREAS, the number of children under age 18 has increased dramatically in Illinois during the last 10 years - by more than 30 percent in Lake, Kendall, Will, Boone and McHenry Counties; and

WHEREAS, the organization "Voices for Illinois Children" reports that the quality of life for children in Illinois has "seen real progress" in the last few years; and

WHEREAS, State and local governments, schools, private organizations, faith-based congregations, businesses and organized labor have made a concerted effort to initiate new programs like Illinois KidCare to fill the health care needs of children; and

WHEREAS, during the last few years, the State's teen birth rate has declined, as has the number of children in foster care, the high school dropout rate, the rate of child abuse and the number of children on welfare; and

WHEREAS, the well-being of children includes protection and instruction on



April 2001 as STOP THE VIOLENCE MONTH in Illinois.  
 Issued by the Governor April 26, 2001.  
 Filed by the Secretary of State May 3, 2001.

## 2001-258

## CYBERSPACE SAFETY AWARENESS WEEK

WHEREAS, the recent tremendous advances in technology have profoundly changed the way in which communication, research and commerce take place in our society; and

WHEREAS, our educational system must embrace the use of technology in our schools, teaching children how to harness the immense resources of the Internet, exploring the richness of imagination, encouraging critical thinking, analyzing data, reviewing sources, and communicating ideas; and

WHEREAS, access to the Internet provides enormous opportunities for learning, teaching, analyzing, researching and collaborating; and

WHEREAS, concerns for abuse, risk and exploitation sometimes accompany opportunities; and

WHEREAS, the Internet Crimes Against Children Educational Advisory Committee, which consists of the following state agencies/organizations: Governor's Office, Illinois Technology Office, Illinois Association of Chiefs of Police, Illinois Attorney General's Office, Illinois Coalition Against Sexual Assault, Illinois Department of Children and Family Services, Illinois Sheriff's Association, Illinois State Board of Education, Illinois State Police, Illinois Violence Prevention Authority, Prevent Child Abuse-Illinois, and Regional Institute of Community Policing; agree that, while acknowledging the efforts of enhancing our children's Internet experience, we must undertake a solemn effort to ensure the value of Internet safety; and

WHEREAS, the above organizations agree that the Internet is a vital tool for education and research, which the citizens of Illinois must have readily available for personal knowledge and growth; and

WHEREAS, education and awareness efforts will help to protect our children and to provide them with a safer environment while using the Internet, teaching them smart use of the tools; and

WHEREAS, the Internet Crimes Against Children Educational Advisory Committee, along with school administrators, teachers, parents, and concerned citizens throughout Illinois, are joining together to observe May 6-12, as Cyberspace Safety Awareness Week;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 6-12, 2001, as CYBERSPACE SAFETY AWARENESS WEEK in Illinois.  
 Issued by the Governor April 27, 2001.  
 Filed by the Secretary of State May 3, 2001.

## 2001-259

## EL MES DE LOS NINOS

WHEREAS, every year, special days are celebrated in May and June to honor and thank our mothers and our fathers; and

WHEREAS, while many groups set aside days and months to celebrate children's causes, such as child abuse prevention and literacy, there isn't one special day to honor our children; and

WHEREAS, children's days are celebrated in other nations, including Japan,

Korea, Canada, Turkey, and Mexico; and

WHEREAS, it is fitting that not only one day, but an entire month be set aside to value and uplift Latino children and all children in Illinois; and

WHEREAS, the idea for establishing this special month for children grew out of the first National Summit on Young Latinos held in San Antonio, Texas, in September 1996 and sponsored by the National Latino Children's Institute; and

WHEREAS, establishing El Mes de los Ninos is an excellent way to focus on the many challenges faced by our State's children, youth, and their families;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 2001 as EL MES DE LOS NINOS in Illinois.

Issued by the Governor April 30, 2001.

Filed by the Secretary of State May 3, 2001,

## 2001-260

## SOUTHLAND SPORTS AND EXPO CENTER DAY

WHEREAS, groundbreaking for the Southland Sports and Expo Center, located at 197th Street and Stony Island Avenue in Lynwood, Illinois, will take place on May 7, 2001; and

WHEREAS, the 100,000 square foot multi-dimensional sports and expo center will primarily focus on soccer, providing 10 outdoor fields and housing three full-size adult indoor fields, which can be converted to six smaller fields; and

WHEREAS, the facility will include a 14,000 square-foot and a 60,000 square-foot special events area for concerts, ethnic food festivals, and not-for-profit events for seniors and children; and

WHEREAS, this sports center will be much bigger than existing indoor soccer fields in surrounding areas and will also serve as a training academy for coaches, referees, and players; and

WHEREAS, the public/private sector partnership spearheaded by the Village of Lynwood Mayor Russell R. Melby and Senator Debbie Halvorson, along with the Department of Commerce and Community Affairs, Prairie State College, Bloom Township High School, Brookwood Elementary, Bloom Township and the Village of Lynwood, overcame a \$3 million site and cost deficit to bring the project to Lynwood; and

WHEREAS, Branko Ilic, Tasso Koutsoukos, George Goich and Mike Goich have invested their time and money to bring this sports complex to the Lynwood area, and the project has been financed through Advance Bank; and

WHEREAS, the Southland Sports and Expo Center will enhance economic development in the south suburbs and provide help and resources for Olympic-caliber athletes to develop and strengthen their skills;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 7, 2001, as SOUTHLAND SPORTS AND EXPO CENTER DAY in Illinois.

Issued by the Governor April 30, 2001.

Filed by the Secretary of State May 3, 2001.

## 2001-261

## ANNUNCIATION GREEK ORTHODOX CHURCH DAY

WHEREAS, Annunciation Greek Orthodox Church, located in Kankakee, Illinois, is celebrating its 75th Anniversary on May 19, 2001; and



WHEREAS, the Church has several spiritual organizations, including, the St. Barbara Club, the Ladies Philoptochos Society and the Ahepa; and

WHEREAS, members of the Annunciation Greek Orthodox Church have been involved in many charitable causes and continue to promote the rich Greek heritage and culture; and

WHEREAS, the Pastor Rev. Father Dimitri Callozzo is to be commended for his commitment and dedication to the Annunciation Greek Orthodox Church and the Greek American community; and

WHEREAS, the Commemoration Banquet will be held May 19, 2001, at the River Oaks Restaurant in Kankakee, Illinois, and Nick Gineris and Sam Nicholas will be Co-Chairmen of the church's 75th Anniversary Dinner Dance; and

WHEREAS, several events will be held to commemorate the 75th Anniversary of Annunciation Greek Orthodox Church, including the 54th Annual Homecoming Picnic which is held in August;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 19, 2001, as ANNUNCIATION GREEK ORTHODOX CHURCH DAY in Illinois.

Issued by the Governor May 1, 2001.

Filed by the Secretary of State May 3, 2001.

2001-262

#### ASIAN AND PACIFIC AMERICAN VETERANS OF WWII DAY

WHEREAS, on this day, we gather to pay tribute to our WWII veterans of Asian and Pacific ancestry, and we pause to honor the brave men of our Armed Forces whose devotion to duty and willingness to serve have sustained our State and our country during the last world war; and

WHEREAS, more than five decades ago, the young Americans of Asian and Pacific ancestry were called upon by our country to fight for freedom of this nation, as well as of our friends and allies; and

WHEREAS, these men gave their lives on some of the bloodiest battlefields in Europe and North Africa, and many of these men left behind their families, who were forcefully removed from their homes to relocation camps across the country; and

WHEREAS, it is important that we pay tribute to the heroes of Illinois who served in our Armed Forces during WWII, and we remember with deep respect those who paid the ultimate price for our freedom;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 1, 2001, as ASIAN AND PACIFIC AMERICAN VETERANS OF WWII DAY in Illinois.

Issued by the Governor May 1, 2001.

Filed by the Secretary of State May 3, 2001.

2001-263

#### CERTIFIED PROFESSIONAL MIDWIFE AWARENESS WEEK

WHEREAS, Certified Professional Midwives provide the "Midwifery Model of Care", which is based on the fact that pregnancy and birth are normal life processes; and

WHEREAS, Certified Professional Midwives are dedicated to the care of women during pregnancy and birth and treat each woman's pregnancy according to her unique physical and personal needs; and

WHEREAS, Certified Professional Midwives are the only nationally credentialled birth attendants with required out-of-hospital experience; and

WHEREAS, May 5th is celebrated around the world as the International Day of the Midwife;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 5-11, 2001, as CERTIFIED PROFESSIONAL MIDWIFE AWARENESS WEEK in Illinois.

Issued by the Governor May 1, 2001.

Filed by the Secretary of State May 3, 2001.

2001-264

#### DR. SALLY B. PANCRAZIO DAY

WHEREAS, Illinois State University was founded in 1857 as the first public institution of higher education in the State; and

WHEREAS, the documents establishing Illinois State University as a teacher education institution were drafted by Abraham Lincoln; and

WHEREAS, the teacher preparation programs are accredited by the National Council for Accreditation of Teacher Education, certified by the Illinois State Board of Education, and hold accreditation from 25 discipline-based agencies; and

WHEREAS, Dr. Sally Pancrazio, Dean of the College of Education at Illinois State University, entered Illinois State Normal University as an undergraduate student in 1957, the year of the university's centennial; and

WHEREAS, Dr. Pancrazio received her Bachelor of Science in Education from Illinois State in 1960; and

WHEREAS, she received a Master of Science in Business Education from Indiana State University in 1967 and a Doctorate of Education from the University of Illinois, Champaign in 1971; and

WHEREAS, during Dr. Pancrazio's distinguished career in education, she has served on the Illinois State Board of Education as Assistant Superintendent for Research, Planning, and Evaluation and as Acting Executive Superintendent before leading the Illinois State University College of Education in 1993; and

WHEREAS, Dr. Pancrazio has participated in several State and national organizations, including the Illinois Women's Administrators, the AACTE Study Group on Women in the Deanship, the National Planning Committee for High School and Beyond, the NCES State Accountability Study Group, the Special Study Panel on Educational Indicators, and the Governor's Advisory Council on Teacher Quality; and

WHEREAS, under the leadership of Dean Pancrazio, Illinois State University has achieved many milestones, including adopting "Realizing the Democratic Ideal" as the conceptual framework for teacher education, obtaining the Bill and Melinda Gates Grant, and designating the University Resource Center for National Board Certification; and

WHEREAS, throughout her career, Dr. Pancrazio has been an advocate for women in educational leadership positions, a leader in education policy, and a teacher who cares deeply about her students;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 1, 2001, as DR. SALLY B. PANCRAZIO DAY in Illinois.

Issued by the Governor May 1, 2001.

Filed by the Secretary of State May 3, 2001.

2001-265

RONALD E. JAMES DAY



WHEREAS, Ronald E. James, Community Bank President, will be recognized for his 35 years of service with National City Bank of Michigan/Illinois on Wednesday, May, 2, 2001; and

WHEREAS, Ronald began his banking career with National City Bank in Decatur, Illinois, in 1966 in the consumer lending department and was promoted to department head in 1971; and

WHEREAS, he was named Vice-President in the early 1990s, and in 2000 was appointed Community Bank President for the Decatur area, where he continues to focus on commercial lending, which includes business and industry, investor real estate, commercial mortgages, agriculture, construction, government guaranteed, letters of credit, and consumer lending; and

WHEREAS, Ronald is a native of Decatur and a graduate of Millikin University, where he received a Bachelor of Science Degree in Economics and Finance; and

WHEREAS, Ronald has been extensively involved in community activities, including Board President of Heritage Behavioral Health Center, Junior Achievement and Decatur AMBOCS; and

WHEREAS, he currently serves as Board Member of the Lincoln Theater and Decatur Sports Foundation, Treasurer of the Warrensburg-Latham Educational Foundation, Director of the Prairieland Service Coordination, and is a member of the Chamber of Commerce for Decatur and Macon County;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 2, 2001, as RONALD E. JAMES DAY in Illinois.

Issued by the Governor May 1, 2001.

Filed by the Secretary of State May 3, 2001.

#### 2001-266

##### MAYWOOD LITTLE LEAGUE BASEBALL DAY

WHEREAS, since 1951, kids of all ages in Maywood, Illinois, have spent their summers playing baseball for the Maywood Park District's Little League Baseball teams; and

WHEREAS, this year marks the golden anniversary of Maywood Little League Baseball; and

WHEREAS, for the past 50 years, Little League has given the kids of Maywood the opportunity to have fun, be a part of team, and develop their athletic skills; and

WHEREAS, the League consists of 10 teams that range from the t-ball level for the younger kids to the high school level for kids up to age 15; and

WHEREAS, many activities have been planned to celebrate 50 years of baseball in Maywood, including a parade and community picnic;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 5, 2001, as MAYWOOD LITTLE LEAGUE BASEBALL DAY in Illinois.

Issued by the Governor May 2, 2001.

Filed by the Secretary of State May 3, 2001.

#### 2001-267

##### SAFETY MONTH

WHEREAS, unintentional-injury deaths increased four percent last year, totaling 96,900; and

WHEREAS, motor vehicle crashes accounted for 41,300 fatalities; and

WHEREAS, unintentional-injury fatalities in the home totaled 28,800; and WHEREAS, fatalities in the workplace totaled 5,100; and

WHEREAS, even though advancements in safety, such as improvements in technology and new legislation have created a safer environment for Americans, the unintentional-injury death toll continues to rise; and

WHEREAS, citizens deserve a solution to these nationwide safety and health threats; and

WHEREAS, such a solution requires the cooperation of all levels of government, as well as the general public; and

WHEREAS, the summer season, traditionally a time of increased unintentional-injury fatalities, is an appropriate time to focus attention on both the problems and the solutions;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 2001 as SAFETY MONTH in Illinois.

Issued by the Governor May 2, 2001.

Filed by the Secretary of State May 3, 2001.

#### 2001-268

##### BOY SCOUT TROOP 103 DAY

WHEREAS, Boy Scout Troop 103 from Bethalto, Illinois, is celebrating its 50th anniversary on May 20, 2001; and

WHEREAS, sponsored by the Bethalto Methodist Church, Boy Scout Troop 103 has participated for many years in the Lincoln Pilgrimage, held in Springfield, the Bethalto Labor Day Parade, and many other functions throughout the year; and

WHEREAS, Troop 103 has had a long history of producing a large number of Eagle Scouts, thanks to the past and present leaders who have volunteered many hours to help develop the youth into the leaders of the future; and

WHEREAS, four of the Troop's current members, Matthew Brown, Matt Higgins, Daniel Morden, and Bart Stephenson have achieved the Boy Scouts highest honor and will earn the rank of Eagle Scout within the next few months; and

WHEREAS, additional members of Troop 103 include: Brandon Austin, Richard Borman, Justin Borman, Daniel Bosco, Bryan Burk, Ryan Cress, Louis Fischer, Erik Flinta, Keven Galeener, Matthew Gowan, Matthew Harden, Tim Harden, Stephen Hillman, Ryan Jenkins, Curtis Laird, Toliver Lasswell, Earon Lasswell, Charles Marin, Quinn McDougal, Bradley Phillips, Paul Prager, Jason Skelton, and Drew Trimm;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 20, 2001, as BOY SCOUT TROOP 103 DAY in Illinois.

Issued by the Governor May 3, 2001.

Filed by the Secretary of State May 10, 2001.

#### 2001-269

##### JOHN T. WEEKER DAY

WHEREAS, initiated by Congressman Rod Blagojevich and passed by the U.S. House of Representatives on December 14, 2000, the International/Military Service Center, located at 514 Express Center Drive, Chicago, Illinois, shall become known and officially designated as the J.T. Weeker International/Military Service Center; and



WHEREAS, John T. Weeker, affectionately known as J.T., was Vice-President of Operations for the Great Lakes Area of the United States Postal Service from July 1995 to January 6, 2000; and

WHEREAS, J.T. was responsible for mail processing and distribution, customer service and sales operation in a territory covering most of Illinois, Indiana and Michigan, serving 25 million customers and staffed by more than 80,000 employees in 38 plants and 2,140 post offices; and

WHEREAS, he has been very committed to community service, and his involvement with the Life Source Blood and Bone Marrow Drive helped add over 2,700 people to the Bone Marrow Register; and

WHEREAS, as an organ recipient himself, J.T. had the privilege to unveil the donor stamp at the Illinois State Fair, and through his efforts, postal employees raised more than \$8 million for the Combined Federal Campaign (CFC); and

WHEREAS, because of his many contributions, the United States Postal Service is pleased to name one of their facilities in his honor;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 4, 2001, as JOHN T. WEEKER DAY in Illinois.

Issued by the Governor May 3, 2001.

Filed by the Secretary of State May 10, 2001.

2001-270

#### THE FOUR BRIDGES OF ELGIN DAY

WHEREAS, the Four Bridges of Elgin (4BE) is an athletic event featuring the international sports of bicycle racing and in line skating; and

WHEREAS, in conjunction with the racing events, there will be a sports festival hosting local food vendors, related entertainment, area merchants, and information booths, including the Elgin Area Convention and Visitors Bureau; and

WHEREAS, the goal for Chicago Special Events Management and the City of Elgin is to create a quality, well-respected international sporting event to showcase the City of Elgin for many years to come; and

WHEREAS, the second annual Four Bridges of Elgin International Sporting Event will take place on July 8, 2001;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim July 8, 2001, as THE FOUR BRIDGES OF ELGIN DAY in Illinois.

Issued by the Governor May 3, 2001.

Filed by the Secretary of State May 10, 2001.

2001-271

#### RELAY FOR LIFE MONTHS

WHEREAS, cancer is a group of diseases characterized by uncontrolled growth and spread of abnormal cells which, if not controlled, can result in death; and

WHEREAS, this year, 56,800 new cases of cancer are estimated to occur in Illinois, and approximately 24,800 Illinoisans are expected to die from cancer this year; and

WHEREAS, the American Cancer Society is a voluntary community-based health organization in Illinois dedicated to eliminating cancer as a major health problem; and

WHEREAS, the Relay for Life is a "Celebration of Life" benefiting the American Cancer Society; and

WHEREAS, the Relay for Life is a community affair held throughout the State of Illinois that presents an opportunity to dust off our camping gear, slip on our walking shoes, and network with business associates, family, and friends; and

WHEREAS, it is important to recognize and participate in the relay events held communities all over the State;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May and June 2001 as RELAY FOR LIFE MONTHS in Illinois.

Issued by the Governor May 4, 2001.

Filed by the Secretary of State May 10, 2001.

2001-272

#### SHPE AND NSHMB DAY

WHEREAS, the Society of Hispanic Professional Engineers (SHPE) and the National Society of Hispanic MBAs (NSHMB) are collaborating to cultivate leadership and professional development workshops for an "educational forum" on May 19, 2001; and

WHEREAS, SHPE is dedicated to expanding the participation of Hispanics in the fields of engineering, science and technology; and

WHEREAS, NSHMB fosters Hispanic leadership through graduate management and high school students to work hard at achieving their goals; and

WHEREAS, the partnership offers a variety of development workshops in which several volunteers willingly provide assistance to students and the general public;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 19, 2001, as SHPE AND NSHMB DAY in Illinois.

Issued by the Governor May 4, 2001.

Filed by the Secretary of State May 10, 2001.

2001-273

#### SOUTH CENTRAL COMMUNITY SERVICES, INC. DAY

WHEREAS, South Central Community Services, Inc., a comprehensive human services agency, is celebrating its Seventh Annual Gala Awards Dinner Dance on August 18, 2001; and

WHEREAS, this event will help generate funds to support their programs, as well as recognize local business women and men who have contributed immensely to the growth, development, and enhancement of the communities it serves; and

WHEREAS, for the last 31 years, South Central Community Services, Inc. has served as a catalyst for the provision of quality mental health, educational, socio-economic, and recreational programs and services for the improvement of the quality of life for individuals and families in Chicago and Joliet; and

WHEREAS, South Central Community Services, Inc., via leadership and dedicated staff, has continuously earned accreditation by both the North Central Association of Colleges and Schools (NCA) and the Council on Accreditation (COA) and has responded fastidiously to the growth and development of children and youth, thereby creating an atmosphere of hope for them to be all that they can be;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim



August 18, 2001, as SOUTH CENTRAL COMMUNITY SERVICES, INC. DAY in Illinois.  
 Issued by the Governor May 4, 2001.  
 Filed by the Secretary of State May 10, 2001.

## 2001-274

## ST. COLUMBANUS REUNION WEEKEND

WHEREAS, St. Columbanus School was erected in the City of Chicago in 1909 to educate the children of Irish immigrants who attended St. Columbanus Church; and

WHEREAS, St. Columbanus, over almost a century, evolved into a stronghold of secular and religious education that provided quality instruction to the children of African-American families in Park Manor and beyond; and

WHEREAS, from 1909 to the present, St. Columbanus has educated some of the State's most successful citizens and continues to educate their children and their children's children; and

WHEREAS, St. Columbanus is presently supported by African-American families who are proud of their history, culture, and Christian family values; and

WHEREAS, St. Columbanus Alumni, representing classes from 1925 to 2001, will gather at an all-class reunion from June 22-24, 2001, to celebrate their spiritual and personal experiences from St. Columbanus; and

WHEREAS, the St. Columbanus Alumni all-class reunion will culminate with a Family Mass at St. Columbanus Church on Sunday, June 24, 2001, and will honor the past, present, and future of an African-American parish committed to the teachings of the Catholic Church and the education of the children of Park Manor and beyond;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 22-24, 2001, as ST. COLUMBANUS REUNION WEEKEND in Illinois.

Issued by the Governor May 4, 2001.

Filed by the Secretary of State May 10, 2001.

## 2001-275

## WIRELESS SAFETY WEEK

WHEREAS, in today's fast-paced technology driven society, wireless voice and data technologies have emerged as prevalent means of communications; and

WHEREAS, currently, over 110 million people in the United States subscribe to wireless telephone service, and over 118,000 emergency calls are made each day; and

WHEREAS, personal and public safety is becoming more of a major concern for new phone buyers and current users; and

WHEREAS, American citizens are using their wireless phones to make their neighborhoods safer by reporting crimes and potentially harmful circumstances. Additionally, citizens are improving emergency management personnel's response times and effectiveness by calling for help when life threatening situations and/or accidents arise; and

WHEREAS, State and local law enforcement, fire departments, the National Guard, the American Red Cross, and other safety-focused agencies are using wireless technology to more efficiently and effectively protect and serve our communities; and

WHEREAS, with the emergence of enhanced technologies comes the need for

better understanding of how to use them responsibly. Driving safely should always be our first priority, and citizens who choose to use their wireless phones while driving should do so only when it is safe; and

WHEREAS, the wireless industry is working to promote consumer education regarding the safe and responsible use of wireless phones and the importance of using wireless phones to help those in emergencies;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 21-27, 2001, as WIRELESS SAFETY WEEK in Illinois.

Issued by the Governor May 4, 2001.

Filed by the Secretary of State May 10, 2001.

## 2001-276

## BARBARA LIPPAL DAY

WHEREAS, Barbara Lippal joined the League of Women Voters in 1985, and her commitment, service and leadership have been instrumental in major League accomplishments at the local, county and State levels; and

WHEREAS, she served the Highland Park League in myriad roles as Membership Chair, Vice President of Issues/Action and President; and

WHEREAS, she spearheaded two significant Highland Park League action campaigns, bringing a responsible local gun control ordinance and equity in education through school consolidation to Highland Park; and

WHEREAS, she led the Lake County League's Crossroads Project by modernizing and revitalizing the County League; and

WHEREAS, she was a guiding force in organizing Lake County Kids First Health Fair, a joint project of the Lake County League and the Lake County Health Department, by providing school readiness and medical services to thousands of children every year; and

WHEREAS, she played a key role in efforts to strengthen the League of Women Voters of Illinois' position by supporting handgun and assault weapon control, and she helped in the Illinois League's successful campaign for a National League gun control position; and

WHEREAS, she served as State League Gun Control Specialist, lobbying for passage of the Brady Bill and other legislation to control the proliferation of hand guns and semi-automatic assault weapons; and

WHEREAS, she chaired the Illinois League's project on Breaking the Cycle of Violence Against Children, identifying programs that work and helping Leagues around the State implement those programs in their communities; and

WHEREAS, she served the Illinois League as Vice President of Issues/Action, directing State League lobbying, which included a successful effort to pass campaign finance reform legislation and oversee task forces on Smart Growth, elections and charter schools;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 24, 2001, as BARBARA LIPPAL DAY in Illinois.

Issued by the Governor May 7, 2001.

Filed by the Secretary of State May 10, 2001.

## 2001-277

## CORRECTIONAL OFFICER WEEK

WHEREAS, Correctional Officers are the backbone of a secure prison system that protects the citizens of Illinois by supervising incarcerated criminals;



WHEREAS, the Institute's activities are designed to generate significant long-term results through educational programs, summer enrichment internships and fellowships, professional development, and leadership conferences; THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 7-8, 2001, as INSTITUTE FOR DIVERSITY IN HEALTH MANAGEMENT DAYS in Illinois.

Issued by the Governor May 8, 2001.  
Filed by the Secretary of State May 10, 2001.

2001-280  
NORWEGIAN CONSTITUTION DAY

WHEREAS, Norway is the longest standing democratic constitution in Europe, and it has defended and maintained democracy over this long period; and WHEREAS, Norwegian Americans have played a significant role in the progress of Illinois and have proudly shared their culture, heritage and talents with our state; and

WHEREAS, to commemorate the 187th Anniversary of the signing of the Norwegian Constitution, May 17, 1814, or "Syttende Mai", several celebrations are being planned; and

WHEREAS, the Norwegian National League of Chicagoland, founded in 1899, sponsors the annual Norwegian Parade in Park Ridge, which will be held May 20, 2001; and

WHEREAS, many organizations will march in the parade, including Sons of Norway's Lodges, Men's and Women's Choruses, a Norwegian nursing home, and the Norwegian Elkhounds; and

WHEREAS, Judith Torgersen, who will be honored for many years of dedication and commitment to the Norwegian American community, will precede the 2001 Norwegian Parade as Grand Marshal; and

WHEREAS, the honorary Grand Marshal is Gunnar Skaug, President of Lawmakers-Division of the Norwegian Parliament; and

WHEREAS, the annual banquet of the Norwegian National League of Chicagoland will be held May 19, 2001, at the Watercrest Restaurant in Palatine;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 17, 2001, as NORWEGIAN CONSTITUTION DAY in Illinois.

Issued by the Governor May 8, 2001.  
Filed by the Secretary of State May 10, 2001.

2001-281  
QUENTIS B. GARTH FOUNDATION AND CITIZEN NEWSPAPER CHAIN DAY

WHEREAS, the Quentis B. Garth Foundation and the Citizen Newspaper Chain will jointly celebrate their 6th and 36th anniversaries, respectively, at the Hyatt Regency Hotel on May 19, 2001; and

WHEREAS, the QBG Foundation will extend an honorary tribute to all former scholarship award recipients and publicly introduce by name each of the three students awarded scholarships for the 2001 school year; and

WHEREAS, a total of 32 Chicago area students have been awarded scholarships by the QBG Foundation, 14 of whom have graduated from an accredited college or university; and

WHEREAS, eighteen students are currently enrolled at either colleges or

and WHEREAS, Correctional Officers put their lives on the line daily protecting the citizens of Illinois; and

WHEREAS, Correctional Officers are firm, fair and consistent in supervising their charges; and

WHEREAS, Correctional Officers are versatile, reliable, compassionate and have a high work ethic;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 6-12, 2001, as CORRECTIONAL OFFICER WEEK in Illinois.

Issued by the Governor May 7, 2001.  
Filed by the Secretary of State May 10, 2001.

2001-278  
RACE UNITY WEEK

WHEREAS, racism is one of today's most vital and challenging issues; and WHEREAS, the well-being of mankind, its peace and security are unattainable unless and until its unity is firmly established; and

WHEREAS, the unity of humankind must be nurtured through genuine love, extreme patience, true humility, consummate tact, sound initiative, mature wisdom, and deliberate, persistent and prayerful effort; and

WHEREAS, people of goodwill throughout Illinois are working tirelessly to promote the unity of humankind; and

WHEREAS, Race Unity Day was inaugurated in 1957 by the National Spiritual Assembly of Baha'is of the United States, which is based in Wilmette, Illinois; and

WHEREAS, the June 3, 2001, Race Unity Rally, held in the State Capitol, is a worthy endeavor to promote unity among all the people of Illinois;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 3-10, 2001, as RACE UNITY WEEK in Illinois.

Issued by the Governor May 7, 2001.  
Filed by the Secretary of State May 10, 2001.

01-279  
INSTITUTE FOR DIVERSITY IN HEALTH MANAGEMENT DAYS

WHEREAS, the Institute for Diversity in Health Management (IFD) is holding the third Annual Leadership and Educational Conference on Diversity in Chicago on June 7-8, 2001; and

WHEREAS, this year's conference, Diversity Initiatives 2001: Development, Implementation, Management, is designed to share leadership initiatives and diversity programs with senior level healthcare executives; and

WHEREAS, approximately 250 participants are expected to attend the conference, which will include talks on mentoring, recruitment and retention, cultural issues in healthcare, and managing diversity; and

WHEREAS, IFD was founded in 1994 and is supported by the American Hospital Association, the American College of Healthcare Executives, the National Association of Health Services Executives, and the Association of Hispanic Healthcare Executives; and

WHEREAS, as a not-for-profit organization, IFD's mission is to increase the number of ethnic minorities in health service administration and improve opportunities for professionals already in the field; and



universities under the QBG Foundation's incremental scholarship grants, which currently represents a total of \$550,000 in scholarship stipends; and

WHEREAS, the QBG Foundation will present initial scholarship grants to three academically qualified students enrolled at their respective colleges or universities; and

WHEREAS, the QBG Foundations administers its scholarship grants on an incremental basis renewable upon each student meeting the school's academic graduate levels, as applicable to any given discipline or field of study; and

WHEREAS, the QBG Foundation was founded in 1995 by the Publisher and CEO of the Citizen Newspaper Group, William Garth, to develop and implement an annual Scholarship Award Program for the economically deprived and disadvantaged urban youth seeking opportunities to achieve higher educational goals; and

WHEREAS, the Founder envisioned the establishment of a foundation to serve as a self-perpetuating memorial tribute to his young son, Quentis B. Garth, whose youthful aspirations were prematurely terminated upon his untimely passing at quite a young age; and

WHEREAS, the QBG Foundation has a new home at 806 East 78th Street, Chicago, at which to not only administer its annual Scholarship Award Program, but to coordinate a diversity of community-oriented programs, specifically designed to improve the quality-of-life for all community residents;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 19, 2001, as QUENTIS B. GARTH FOUNDATION AND CITIZEN NEWSPAPER CHAIN DAY in Illinois.

Issued by the Governor May 8, 2001.

Filed by the Secretary of State May 10, 2001.

2001-282

#### ILLINOIS JAYCEES TEN OUTSTANDING YOUNG PEOPLE OF ILLINOIS DAY

WHEREAS the Illinois Jaycees is a volunteer service organization for individuals between the ages of 21 and 39; and

WHEREAS, members are offered the opportunity for personal development through community involvement; and

WHEREAS, the Illinois Jaycees annually recognize outstanding young citizens throughout the great State of Illinois for their service to humanity; and

WHEREAS, this year marks the 36th year the Jaycees have sponsored the Ten Outstanding Young People of Illinois; and

WHEREAS, the banquet honoring these ten outstanding people will be held May 19, 2001, in conjunction with the Spring Meeting of the Illinois Jaycees; and

WHEREAS, the Illinois Jaycees recognize Teri M. Cook, Joanne C. Forstall, Steven V. Graves, Walter D. Grimes, Jr., Andrew T. Hartlieb, Charles R. Knoche, Christopher B. Milford, Michelle M. Reis, Jose S. Rivera, and Michaline A. Sitkowski as honorees for the year 2001;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 19, 2001, as ILLINOIS JAYCEES TEN OUTSTANDING YOUNG PEOPLE OF ILLINOIS DAY.

Issued by the Governor May 9, 2001.

Filed by the Secretary of State May 10, 2001.

2001-283

#### YOUTH EXPO 2001 DAY

WHEREAS, the Youth Expo is a one-day, high-visibility, multi-event Expo that will take place on May 14, 2001, and feature youth-focused vendors and exhibitors, activities, and workshops that will attract over 600 Chicagoland youth; and

WHEREAS, Youth Service Project (YSP) is a pioneer in community service in the Greater Humboldt Park area of Chicago, and Youth Expo 2001 is a natural extension of YSP's core programs; and

WHEREAS, started in 1975, YSP is a Latino and African-American community-based youth organization dedicated to working with youth and families; and

WHEREAS, through its many activities and programs, YSP works with over 3,000 youth annually to help them realize their potential and create healthy, more meaningful lives, in turn creating a healthier community; and

WHEREAS, the first event of its kind regionally, the Youth Expo is committed to investing in young adults ages 16-21 throughout Chicago by presenting concrete options for their futures, including resources from institutions of higher education, major local employment recruiters, arts and high-tech organizations, youth focused health organizations, and youth serving organizations; and

WHEREAS, in addition, workshops on issues of entrepreneurship, gender, health and wellness, community justice, and careers will be offered; and

WHEREAS, the Youth Expo gives practical realization to one of YSP's ongoing goals, meeting and serving changing youth needs and building on youth's assets; and

WHEREAS, the YSP Youth Expo 2001 is an event unique to Chicago and one that speaks to the heart of one of the most important issues in America - our youth!;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 14, 2001, as YOUTH EXPO 2001 DAY in Illinois.

Issued by the Governor May 9, 2001.

Filed by the Secretary of State May 10, 2001.

2001-284

#### FIREFIGHTER DAY

WHEREAS, Illinois will honor some its bravest members of the firefighting profession for their heroic actions at the Fallen Firefighter Medal of Honor Ceremony; and

WHEREAS, the Illinois Firefighter Memorial stands on the lawn of the Illinois State Capitol and symbolizes our gratitude to the men and women who risk their lives everyday to protect people and their property; and

WHEREAS, at the site of the memorial, final respects will be paid to the five firefighters who lost their lives in the line of duty in 2000: Firefighter Don R. Wilson of the Herrick Fire Department, Lt. L. C. Merrell of the Chicago Fire Department, Captain Steven Wilnot of the Springfield Fire Department, Captain Thomas Gotkowski of the Tinley Park Volunteer Fire Department, and Lt. Scott Gillen of the Chicago Fire Department; and

WHEREAS, the families of these fallen heroes will receive the Line of Duty Death Gold Badge Award; and

WHEREAS, Firefighter Joseph Jay, Kankakee Fire Department and Firefighter



Patrick McDermott, Chicago Fire Department will receive the Medal of Honor, the highest award given by the State of Illinois to a firefighter for an act of outstanding bravery; and

WHEREAS, the Medal of Valor, the second highest award given to a firefighter for an act of heroism will be awarded to Captain Thomas Sutkus, Chicago Fire Department; Firefighter Tim Pogue, Aurora Fire Department; Firefighter Daniel Tasso, Downers Grove Fire Department; Firefighter Robert Padgett, Downers Grove Fire Department, and Firefighter Ronald Rains, Jr., West Frankfort Fire Department;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 18, 2001, as FIREFIGHTER DAY in Illinois.

Issued by the Governor May 10, 2001.

Filed by the Secretary of State May 17, 2001.

2001-285

#### HELEN KWASNIEWSKI DAY

WHEREAS, Helen Kwasniewski has been a dedicated and loving Principal at Immaculate Conception Grade School for 22 years; and

WHEREAS, in 1981, Helen was hired to be the first lay principal of Immaculate Conception Grade School, replacing the Sisters of St. Agnes who preceded her by 80 years of service in the ministry of education at Immaculate Conception Parish; and

WHEREAS, known by everyone as Mrs. "K", Helen was not new to Immaculate Conception, having taught at the junior high level from 1973-1976; and

WHEREAS, Mrs. "K" taught 20 parents of her current students when they were in junior high, giving her the opportunity to see their mirror images in their children; and

WHEREAS, Helen has seen many changes throughout the school over the years, such as enrollment climbing from 448 children when she started to the current enrollment of 636 children, increased parental involvement, and the addition of computers to the classrooms; and

WHEREAS, Helen has many accomplishments of which she can be proud. She insisted on weekly all school liturgies, established a special theme for each school year, which she has tied into her annual open house address, and helped establish the school's pre-school program, which now has 74 children enrolled; and

WHEREAS, one her most notable qualities is the love she shows towards each child. Mrs. "K" makes it a point to know the names and faces of every child that walks through the door on the first day of school; and

WHEREAS, after 22 years of serving the Immaculate Conception Grade School as both an excellent educator and an exceptional administrator, Helen is retiring in June 2001; and

WHEREAS, a mass and reception in her honor will take place on Sunday, June 3, 2001, as students, faculty, friends, and family gather to wish her a happy retirement and tell her how much she means to them and much she will be missed;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 3, 2001, as HELEN KWASNIEWSKI DAY in Illinois.

Issued by the Governor May 10, 2001.

Filed by the Secretary of State May 17, 2001.

2001-286

#### LEE GETSCHOW AND ARTIE BERGMAN DAY

WHEREAS, in the past 12 months, the Village of Kenilworth has suffered an enormous loss, as two of its civic leaders, Lee Getschow and Artie Bergman, passed away; and

WHEREAS, as leaders and mentors, these two men had an enormous impact on the lives of thousands of young men in Kenilworth; and

WHEREAS, both Lee and Artie grew up in Kenilworth, and after returning home from WWII, they were recruited by Bill Townley to help lead Boy Scout Troop 13; and

WHEREAS, Lee and Artie helped the Scouts grow and develop into young men, while teaching them respect for the Scout oath and law and the importance of team work, responsibility and leadership; and

WHEREAS, many Scouts will treasure the experiences they had during Artie's annual Boundary Waters canoe trip, during which they spent 11 or 12 days canoeing over 50 miles and listening to Artie's entertaining and infamous campfire stories; and

WHEREAS, for the past 40 years, 6th, 7th, and 8th grade boys have had the opportunity to play on the Rebels football team, thanks to the relentless effort of Lee Getschow who organized the team after the grammar school stopped sponsoring after school football in the 1950s; and

WHEREAS, Lee's commitment and involvement with the boys continued all year round, as he would flood his back yard and turn it into an ice rink every winter so the Scouts could play broomball every Monday night; and

WHEREAS, through their many contributions to the Village of Kenilworth and Boy Scout Troop 13, both Lee and Artie have helped build character, helped build skills, and helped carry on a tradition of excellence; and

WHEREAS, Lee and Artie will always be remembered, and their legacy will continue as the boys they have influenced will instill the same values they have learned from Lee and Artie into their children and grandchildren;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 20, 2001, as LEE GETSCHOW AND ARTIE BERGMAN DAY in Illinois.

Issued by the Governor May 10, 2001.

Filed by the Secretary of State May 17, 2001.

2001-287

#### ST. ANASTASIA CHURCH DAY

WHEREAS, on April 3, 1926, Cardinal Mundelein, Archbishop of Chicago, appointed the Reverend John A. Fleming to organize the new St. Anastasia Parish in Waukegan, Illinois; and

WHEREAS, parochial school classes began on September 6, 1927, with an enrollment of 106 students under the direction of the Sisters of the Holy Child Jesus and the first principal Mother Mary Dorthea; and

WHEREAS, over the years, the church has undergone different construction projects to restore the interior and exterior architecture. In 1965 and 1966, the beauty and style of the architecture was recognized by the Chicago Chapter of the American Institute of Architecture and the American Society for Church Architecture, and in 1971, the Illinois Sesquicentennial Commission selected St. Anastasia out of 150 architectural buildings for recognition; and

WHEREAS, St. Anastasia has been blessed to have dedicated and committed priests serve the parishioners, including Fr. John Fleming, Fr. Joseph Cussen,



Fr. Joseph Garrity, Monsignor Joseph Connerthon, Fr. Edward S. Maraczewski, and the current pastor, Fr. Terrence McCarthy; and

WHEREAS, throughout the years, St. Anastasia parishioners have supported the faith community through their dedicated membership in parish organizations. The Holy Name Society and the Women's Club continue to provide socialization and financial assistance to the parish; and

WHEREAS, today, 1,000 dedicated families belong to St. Anastasia, sending their children to the school and giving up their time volunteering for work in the numerous community outreach services sponsored by the church; and

WHEREAS, St. Anastasia Church is celebrating its 75th anniversary on May 26, 2001;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 26, 2001, as ST. ANASTASIA CHURCH DAY in Illinois.

Issued by the Governor May 10, 2001.

Filed by the Secretary of State May 17, 2001.

#### 2001-288

##### CARBONDALE STATE CHAMPIONSHIP BARBECUE COOKOFF DAYS

WHEREAS, the 5th annual Main Street Pig Out Barbecue Cookoff will be hosted by Carbondale Main Street, an Illinois Main Street Community, in Carbondale, Illinois, on Friday, September 14 and Saturday, September 15, 2001; and

WHEREAS, Main Street Pig Out encourages partnerships between the City of Carbondale, the Carbondale Chamber of Commerce, Southern Illinois University, Carbondale Convention & Tourism, business of Downtown Carbondale, several corporate sponsors, and over 300 private citizens serving as volunteers; and

WHEREAS, last year's Pig Out drew 10,000 people to Downtown Carbondale to enjoy excellent food, outstanding music, and variety of family and children activities;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 14-15, 2001, as CARBONDALE STATE CHAMPIONSHIP BARBECUE COOKOFF DAYS in Illinois.

Issued by the Governor May 11, 2001.

Filed by the Secretary of State May 17, 2001.

#### 2001-289

##### HIS HOLINESS SYEDNA MOHAMMED BURHANUDDIN (TUS) WEEK

WHEREAS, His Holiness Syedna Mohammed Burhanuddin (TUS), the 52nd Paterni Dai al-Mutlaq, is invested with full and absolute authority to be the sole deputy and vicegerent of the Fatimi Imam in seclusion and is the spiritual head of the Dawoodi Bohras; and

WHEREAS, his many followers benefit from his experience, wise guidance, deep erudition and purposeful direction in temporal and spiritual matters; and

WHEREAS, His Holiness Syedna Mohammed Burhanuddin (TUS) is an accomplished leader with the legacy of 875 years and the beloved son and chosen successor of Al Muqaddas Syedna Taher Saifuddin Saheb (RA); and

WHEREAS, as a zealous devotee of Islam, he has constantly and unshakably practiced the precepts of the faith and dedicated a lifetime to the study of Islam, Arabic, literature and philosophy; and

WHEREAS, His Holiness Syedna Mohammed Burhanuddin (TUS) remains the

inspiration and anchor of hope for his followers; and

WHEREAS, he has established many organizations, trusts, and institutions for the benefit of all, and he has built a magnificent Raudat Tahera and many other mazaars, zarihs and masjids;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 21-25, 2001, as HIS HOLINESS SYEDNA MOHAMMED BURHANUDDIN (TUS) WEEK in Illinois.

Issued by the Governor May 11, 2001.

Filed by the Secretary of State May 17, 2001.

#### 2001-290

##### INTERNATIONAL TRAINING IN COMMUNICATION DAYS

WHEREAS, the Heartland Region of International Training in Communication (ITC) is meeting in conference with Mid America Region to effect a consolidation in Louisville, Kentucky, June 1-3, 2001; and

WHEREAS, progressive citizens of Iowa, Indiana, Missouri, and Tennessee, plus those from states within Mid America Region will be gathering together to participate in educational training sessions; and

WHEREAS, several ITC clubs are located in the Heartland Region in Illinois, and this will be the last year for Heartland, as it will consolidate with Mid America Region next year; and

WHEREAS, the leadership training and organizational skills promoted by this international organization are of great value to citizens in Illinois, the nation, and throughout the world;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 1-3, 2001, as INTERNATIONAL TRAINING IN COMMUNICATION DAYS in Illinois.

Issued by the Governor May 11, 2001.

Filed by the Secretary of State May 17, 2001.

#### 2001-291

##### LEWIS AND CLARK CORP OF DISCOVERY DAY

WHEREAS, Lewis and Clark embarked on their historic transcontinental expedition from the Wood River/Hartford in Illinois; and

WHEREAS, the Corps of Discovery began their journey into unexplored territory on May 14, 1804; and

WHEREAS, the years 2003 and 2004 will mark the bicentennial anniversary of the Expedition's preparation and launch in Illinois; and

WHEREAS, many Illinois tourism, historical, and conservation groups are beginning preparations for events and activities to commemorate the Lewis and Clark Expedition; and

WHEREAS, the Illinois Lewis and Clark Bicentennial Commission has been created to research, make recommendations for and plan events that will commemorate the Lewis and Clark Expedition in Illinois; and

WHEREAS, in an effort to begin celebrating the anniversary of Lewis and Clark's uncharted journey, Hartford Elementary School will release 200 balloons to symbolize the unknown territories and adventures that Lewis and Clark discovered on their exploration of the American frontier;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 14, 2001, as LEWIS AND CLARK CORP OF DISCOVERY DAY in Illinois.

Issued by the Governor May 11, 2001.



Filed by the Secretary of State May 17, 2001.

2001-292

**MRS. NICOLE KUFELDT DAY**

WHEREAS, public schools are the backbone of our democracy, providing young people with the tools they need to maintain our nation's precious values of freedom, civility, and equality; and

WHEREAS, by equipping our young Americans with both practical skills and broader intellectual abilities, schools give them hope for, and access to, a productive future; and

WHEREAS, School District 54 is the largest elementary school district in the State of Illinois, with 15,750 students, which contains more than 58,000 households in seven communities; and

WHEREAS, Mrs. Nicole Kufeldt graduated from Northwestern University in 1968 with a Baccalaureate Degree in Music Education; and

WHEREAS, Mrs. Kufeldt fulfilled the commitment she made at the age of 10 to become a teacher when she entered the teaching profession in 1968; and

WHEREAS, Mrs. Kufeldt taught at Hillcrest, Twinbrook, Fox, Armstrong, Nerge, and MacArthur schools, before joining the faculty at Jane Addams Junior High School in 1984; and

WHEREAS, Henry Wadsworth Longfellow once stated that "The universal language of mankind is music", whereby Mrs. Kufeldt has interpreted and shared that language with thousands upon thousands of her students throughout the years; and

WHEREAS, Mrs. Kufeldt has influenced generations of Illinoisans that will transform the world and make it a better place for all;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 15, 2001, as MRS. NICOLE KUFELDT DAY in Illinois.

Issued by the Governor May 11, 2001.

Filed by the Secretary of State May 17, 2001.

2001-293

**VALERIE A. CHRISMAN DAY**

WHEREAS, Valerie A. Chrisman began working at Horace Mann in 1971 and is celebrating her 30 year anniversary with the company on May 5, 2001; and

WHEREAS, Valerie is currently the Senior Vice-President of Customer and Employee Services; and

WHEREAS, over the past 30 years, Valerie has held numerous positions, including Assistant Director Wage and Salary Administration, Director of Employment, Assistant Vice President Employee Relations, Vice President Personnel, and Vice President Human Resources; and

WHEREAS, Valerie has a remarkable knowledge and understanding of the company's history, having worked for four company presidents; and

WHEREAS, Valerie's dedication and loyalty to Horace Mann has made her a role model for her co-workers, friends and family; and

WHEREAS, her vast experience has made her a reliable and trustworthy person throughout the company, and she is recognized as a professional and dedicated Horace Mann employee; and

WHEREAS, Valerie is also actively involved in the community. She is a former board member of the Family Service Center, and is currently active with

the Ronald McDonald House;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 5, 2001, as VALERIE A. CHRISMAN DAY in Illinois.

Issued by the Governor May 11, 2001.

Filed by the Secretary of State May 17, 2001.

2001-294

**AMIGOS DE SER DAY**

WHEREAS, SER Jobs for Progress, Inc. is a national organization that focuses on the unemployment and training needs of low income citizens and has been recognized throughout the nation as a community-based organization of demonstrated effectiveness; and

WHEREAS, Central States SER provides employment and training services to Illinois residents to promote their upward mobility and economic self-sufficiency and is the only agency providing services in Spanish to welfare clients in the Work First and Job Advantage programs; and

WHEREAS, SER Business and Technical Institute offers high quality education and training to students to prepare them for a variety of entry level, automated office occupations within the business and technical fields; and

WHEREAS, together SER has placed over 400 clients and students in employment in the last year; and

WHEREAS, the 14th Annual Amigos de SER Recognition Luncheon and Job Fair has as its theme "SER: Partnerships for the Future";

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 15, 2001, as AMIGOS DE SER DAY in Illinois.

Issued by the Governor May 14, 2001.

Filed by the Secretary of State May 17, 2001.

2001-295

**DUPAGE CHILDREN'S MUSEUM DAY**

WHEREAS, the DuPage Children's Museum was founded in 1987 by Louise Beem and Dorothy Carpenter, operating out of their kitchens and traveling to park districts in the back of a station wagon; and

WHEREAS, the DuPage Children's Museum serves DuPage County, as well as Northern and Western Illinois teachers and students; and

WHEREAS, each year the museum serves 140,000 visitors from 150 communities, 34 social service agencies and 44 schools; and

WHEREAS, the DuPage Children's Museum provides interactive learning experiences in art, math and science for children ranging from infants through 4th grade; and

WHEREAS, the official ribbon cutting ceremony for the DuPage Children's Museum will be held at the new facility at 301 North Washington Street in Naperville on May 15, 2001;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 15, 2001, as DUPAGE CHILDREN'S MUSEUM DAY in Illinois.

Issued by the Governor May 14, 2001.

Filed by the Secretary of State May 17, 2001.

2001-296



**BOURBONNAIS GROVE HISTORICAL SOCIETY DAY**

WHEREAS, the Bourbonnais Grove Historical Society was chartered in June 1975 to maintain and promote Letourneau home as a museum and historic education center; and

WHEREAS, the Letourneau home is linked to the earliest pioneer days of Bourbonnais Grove, and its owner George R. Letourneau was a successful farmer, businessman, and elected official; and

WHEREAS, on Friday, June 20, 1986, the Letourneau home was moved from where it had stood on North Main Street in Bourbonnais for at least 146 years to the new location on Stratford Drive East in Bourbonnais; and

WHEREAS, the George R. Letourneau Home Museum contains many items related to Bourbonnais' history and also serves the community as a meeting and cultural center; and

WHEREAS, the President of the Bourbonnais Grove Historical Society, Carl R. Moran, announced a grant from the Illinois Historic Preservation Agency will provide for further renovation;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, June 20, 2001, as BOURBONNAIS GROVE HISTORICAL SOCIETY DAY in Illinois.

Issued by the Governor May 15, 2001.  
Filed by the Secretary of State May 17, 2001.

**2001-297****ELDER LAW MONTH**

WHEREAS, the month of May traditionally has been proclaimed as Older Americans Month; and

WHEREAS, May is also observed as Law Month nationwide; and

WHEREAS, older Americans have legal needs that require special attention and knowledge;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 2001 as ELDER LAW MONTH in Illinois.

Issued by the Governor May 15, 2001.  
Filed by the Secretary of State May 17, 2001.

**2001-298****MIDWEST FERTILITY CENTER INFERTILITY AWARENESS DAY**

WHEREAS, infertility is a medical condition that disrupts the normal function of the reproductive system and prevents individuals from bearing children; and

WHEREAS, infertility affects more than 5 million people of reproductive age, affecting men and women equally, as 35 percent of infertility is due to a female factor and 35 percent is due to a male factor; and

WHEREAS, infertility is a medical condition with broad social, psychological and medical implications; and

WHEREAS, diagnosis and treatment for infertility should be considered part of health maintenance and prevention, and the early diagnosis of conditions which often lead to infertility should be encouraged and their potential harm factors shared with the public, in addition to the medical community; and

WHEREAS, we must foster greater awareness and understanding of infertility and related reproductive health problems among Americans and provide necessary

support for individuals affected by this medical condition in their efforts to start and grow families; and

WHEREAS, Midwest Fertility Clinic is celebrating its annual Baby Party on Saturday, June 30, 2001, to honor all the babies conceived through the Center; THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 30, 2001, as MIDWEST FERTILITY CENTER INFERTILITY AWARENESS DAY in Illinois.

Issued by the Governor May 15, 2001.

Filed by the Secretary of State May 17, 2001.

**2001-299****NOCHE DE GALA DAY**

WHEREAS, the Noche de Gala was started in 1999 by Fr. Esequiel Sanchez and the coordinators of Hispanic Ministry for the Archdiocese; and WHEREAS, the purpose of the Noche de Gala is to honor those who have been tireless in their dedication to the Hispanic ministry in Chicago; and

WHEREAS, the event also raises funds to support several ministerial efforts with emphasis in the Hispanic youth ministry and lay leadership training; and

WHEREAS, the Noche de Gala has become a highly successful annual event;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 1, 2001, as NOCHE DE GALA DAY in Illinois.

Issued by the Governor May 15, 2001.

Filed by the Secretary of State May 17, 2001.

**2001-300****RESPECT LIFE WEEK**

WHEREAS, the Preamble of the Constitution of the United States was designated for the people of this land to "secure the blessings of liberty to ourselves and our posterity"; and

WHEREAS, the Declaration of Independence states that we are endowed by our creator with certain inalienable rights, including the right to life; and

WHEREAS, the life of each person is sacred - the young and the old, the healthy and the sick, the gifted and disadvantaged; and

WHEREAS, the purpose of Respect Life Week is to remind the American people of the dignity of human life;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 7-14, 2001, as RESPECT LIFE WEEK in Illinois.

Issued by the Governor May 15, 2001.

Filed by the Secretary of State May 17, 2001.

**2001-301****RICHARD A. KWASNESKI WEEK**

WHEREAS, the Village of Lemont, Illinois, is an historic community located 25 miles southwest of Chicago in the I & M Canal National Heritage Corridor, America's first heritage corridor, designated by Congress in 1984; and

WHEREAS, Richard A. Kwasneski was elected as Village President of the Village of Lemont in April 1993; and

WHEREAS, prior to his election as Mayor, Kwasneski served as a Trustee of



the Village of Lemont from 1985 to 1993, serving as Finance Chairman and Mayor pro-tem; and

WHEREAS, during his exemplary career of service, the population of the Village of Lemont grew from approximately 7,348 to 13,098, and the Village experienced the most intense growth in its history, requiring vision and wisdom to successfully balance growth while providing effective Village services to serve the population; and

WHEREAS, under Mayor Kwasneski's leadership and guidance, Lemont's historic but stagnant downtown was brought back to life through Village initiated programs to provide economic and physical revitalization and the creation of an Historic District to preserve and promote this unique area of the community; and

WHEREAS, foremost among the achievements of Mayor Kwasneski's administration was a steady reduction in the Village property tax rate to the lowest point in 25 years, which was accomplished through effective planning and by acquiring commercial development to offset the need for reliance on property taxes to provide necessary Village services; and

WHEREAS, Mayor Kwasneski's patriotic embrace of the values of responsibility, leadership, trust and honor are exemplified in his great sense of pride, his strong work ethic, and his dedication to serving the community as he leaves the office of Mayor after 16 years of service to the residents and community of Lemont;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 11-15, 2001, as RICHARD A. KWASNESKI WEEK in Illinois.

Issued by the Governor May 15, 2001.

Filed by the Secretary of State May 17, 2001.

#### 2001-302

##### RUTH IRELAN KNEE DAY

WHEREAS, every two years, the Alumni Association of the School of Social Service Administration, University of Chicago recognizes an alumnus for distinguished service to society or outstanding professional contributions at the local, national, or international level; and

WHEREAS, Ruth Knee is this year's recipient of the 2001 Edith Abbott Alumni Award, and will be recognized on Saturday, June 2, 2001; and

WHEREAS, Ruth graduated from the University of Oklahoma with a Bachelor of Arts degree in Social Work and from the School of Social Service Administration, University of Chicago, with a Master of Arts degree; and

WHEREAS, Ruth began her career during World War II as one of the first psychiatric social workers in the industrial mental health clinic organized by the U.S. Public Health Service (PHS); and

WHEREAS, during her 30 years of federal service, Ruth worked to make quality social work, mental health concepts, and consumer rights integral parts of health, mental health, and long term care programs, policies, and standards; and

WHEREAS, she served as the National Institute of Mental Health (NIMH) liaison for policy development and technical assistance concerning mental health components of these programs, and in 1972, she directed all PHS programs in long-term care; and

WHEREAS, Ruth has held many leadership roles in professional organizations. As a founder of the National Association of Social Workers

(NASW), she served two terms on the NASW Board of Directors, and served on numerous committees, councils, task forces, and planning groups, including the Panel of Legal and Ethical Issues of the President's Commission on Mental Health and the Institute of Medicine Committee for the Study of the Future of Public Health; and

WHEREAS, since her retirement in 1974, Ruth has been active in advocacy groups seeking nursing home reforms and has consulted for federal agencies and private organizations;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 2, 2001, as RUTH IRELAN KNEE DAY in Illinois.

Issued by the Governor May 15, 2001.

Filed by the Secretary of State May 17, 2001.

#### 2001-303

##### CYCLE USA DAY

WHEREAS, autism is a critical disorder affecting as many as 500,000 people across the country, and many families in our community; and

WHEREAS, because autism has no cure, it is critical to discovering the causes, treatment, and cures for the disorder; and

WHEREAS, on April 27, 2001, Canadian police officer John Keating set off on a three month, 33 city bicycle journey across America to raise awareness of autism and the need for autism research; and

WHEREAS, CycleUSA is the first ever national event for families affected by autism to present their stories to communities across America; and

WHEREAS, John will be traveling across Route 15 from Mount Carmel, Illinois, to St. Louis, Missouri, and down Route 3 from Columbia, Illinois to Cape Girardeau, Missouri;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 1, 2001, as CYCLE USA DAY in Illinois.

Issued by the Governor May 16, 2001.

Filed by the Secretary of State May 17, 2001.

#### 2001-304

##### GYMNASTICS DAY

WHEREAS, USA Gymnastics is celebrating National Gymnastics Day on August 25, 2001, to unite the millions of children who participate in the sport; and

WHEREAS, National Gymnastics Day seeks to introduce the value of physical fitness for every age, race, gender, and ability level; and

WHEREAS, gymnastics provides a strong foundation developing physical and mental skills that enrich the quality of life; and

WHEREAS, the participation in gymnastics is a fun way to build strength, flexibility and coordination and enhance self-esteem and goal setting abilities; and

WHEREAS, on National Gymnastics Day, gymnastics clubs across the United States partner with USA Gymnastics to heighten the visibility of the sport and encourage participation at the grassroots level; and

WHEREAS, collectively, our nation strives to encourage greatness and achievement in our young people, helping them all to become champions in life;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim August 25, 2001, as GYMNASTICS DAY in Illinois.



Issued by the Governor May 16, 2001.  
Filed by the Secretary of State May 17, 2001.

2001-305

**INTERNATIONAL CHIROPRACTORS ASSOCIATION DAY**

WHEREAS, chiropractors throughout the United States and the world improve the health and well-being of our citizens; and

WHEREAS, the science, art and philosophy of chiropractic and the chiropractors that practice it have contributed to the better health of some two million of our State's citizens; and

WHEREAS, chiropractic is the third largest doctoral level health care profession, behind medicine and dentistry; and

WHEREAS, chiropractic is a recognized healing art; and

WHEREAS, the International Chiropractors Association (ICA) is the chiropractic profession's oldest association serving and protecting the rights of chiropractors worldwide; and

WHEREAS, the ICA was founded in 1926 and is celebrating its 75th anniversary on June 6, 2001;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 6, 2001, as INTERNATIONAL CHIROPRACTORS ASSOCIATION DAY in Illinois.

Issued by the Governor May 16, 2001.  
Filed by the Secretary of State May 17, 2001.

2001-306

**JEREMY NEWTON DAY**

WHEREAS, Jeremy Newton, a sophomore at Pleasant Plains High School, has been selected as one of the 43 finalists from Illinois in the Library of Congress' annual Letters About Literature Contest; and

WHEREAS, Jeremy's entry was a moving letter to baseball legend Henry Aaron and author Scott Wheeler about their book, "I Had a Hammer: The Hank Aaron Story"; and

WHEREAS, in his letter, Jeremy wrote that Aaron's book had changed his "outlook on life in a way so profound that it cannot be expressed in words" by exposing him to different points of view and a description of the life of a famous person that he thought he knew, but didn't; and

WHEREAS, Jeremy related that he wants his children to know and understand what kind of leader and great man Henry Aaron is; and

WHEREAS, Jeremy's letter was selected from among 5,000 entries nationwide to be a finalist in the LAL contest; and

WHEREAS, Jeremy placed 1st in his division, a feat that's truly remarkable because Illinois had more entries in the LAL contest than any other state; and

WHEREAS, Jeremy accepted his award and the hearty congratulations of State officials at a ceremony for all finalists held at the Illinois State Library; and

WHEREAS, Jeremy was accompanied to this ceremony by his very proud parents, Robert and Amy; and

WHEREAS, an accomplishment of this magnitude should be celebrated and cherished by Jeremy, his family, friends and teachers because his work is a shining example for all students in Illinois,

THEREFORE, I, George H. Ryan, join Jeremy Newton's family, friends and

teachers in heartily congratulating him on his First Place achievement in the Library of Congress' nationwide Letters About Literature Contest and further proclaim July 8, 2001, as JEREMY NEWTON DAY in Illinois.

Issued by the Governor May 16, 2001.  
Filed by the Secretary of State May 17, 2001.







